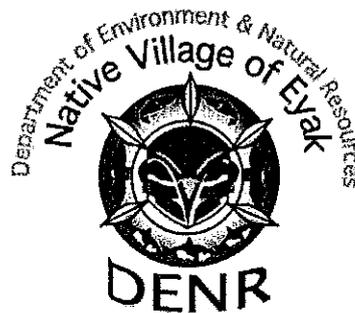


**ESTIMATING THE INRIVER ABUNDANCE OF COPPER RIVER CHINOOK  
SALMON, *ONCORHYNCHUS TSHAWYTSCHA*.**

**Special report to the Alaska Board of Fisheries**

December 2008



**SUBMITTED BY:**

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**IN PARTNERSHIP WITH:**

United States Forest Service  
United States Fish and Wildlife Service, Office of Subsistence Management  
Alaska Department of Fish and Game

**OBJECTIVE:** Use fishwheels and two-sample mark-recapture methods to estimate the inriver abundance of Chinook salmon in the Copper River above Baird Canyon (Fig. 1) such that the estimate is within 25% of the true escapement 95% of the time. This long-term monitoring program has been operational since 2001.

**METHODS:** In 2008, chinook salmon were captured and tagged at three fishwheels operated almost continuously from 19 May to 4 August at Baird Canyon (river km 66). Healthy Chinook salmon measuring 500 mm FL or greater received a specifically designed external TBA-PIT tag, which is comprised of a 134.2 kHz, passive RFID transponder encapsulated on a t-bar style dorsal tag with two, 25-mm monofilament lines terminating in perpendicular 9-mm anchor bars. Unique tag numbers are electronically encoded on the transponder. Tagged Chinook salmon also received a secondary mark (hole punch in the right operculum) and were sexed and measured for length.

The second event of this mark-recapture study consisted of two fishwheels operated at Canyon Creek (91 km upstream of Baird Canyon) from 20 May to 19 August 2008. All Chinook salmon captured at the Canyon Creek fishwheels were inspected for primary and secondary marks, sexed, and measured for length. Tagged fish were scanned using a PDA with a built-in RFID scanner. Since the TBA-PIT tags were externally visible, and all tagged fish received a secondary mark, it was unlikely that a tagged fish was captured and not observed at Canyon Creek.

Consistency tests are conducted to determine whether any assumptions of the mark-recapture experiment were violated. Based on the results of these tests, an appropriate model is chosen and the computer program SPAS was used to calculate the abundance estimate and associated error.

**RESULTS** (2008 results are preliminary and subject to minor change prior to publication of final reports)

In 2008, three fishwheels were operated at Baird Canyon for a total of 4,266 h of fishing effort. 4,807 Chinook salmon were captured, and of these, 3,931 fish (82%) were tagged (Fig. 2). The number of Chinook salmon tagged each day varied from 0 to 132. Two fishwheels were operated at Canyon Creek for a total of 3,966 h of fishing effort. 3,592 Chinook salmon were captured, and of these, 3,509 fish were examined for marks. 342 of the examined fish were tagged (Fig. 3). The number of fish inspected each day ranged from 0 to 202 and the number of recaptures each day ranged from 0 to 19.

In total, 8.7% of Chinook salmon tagged at Baird Canyon were subsequently recaptured at Canyon Creek, and 9.7% of fish inspected at Canyon Creek were tagged. Tagged fish took an

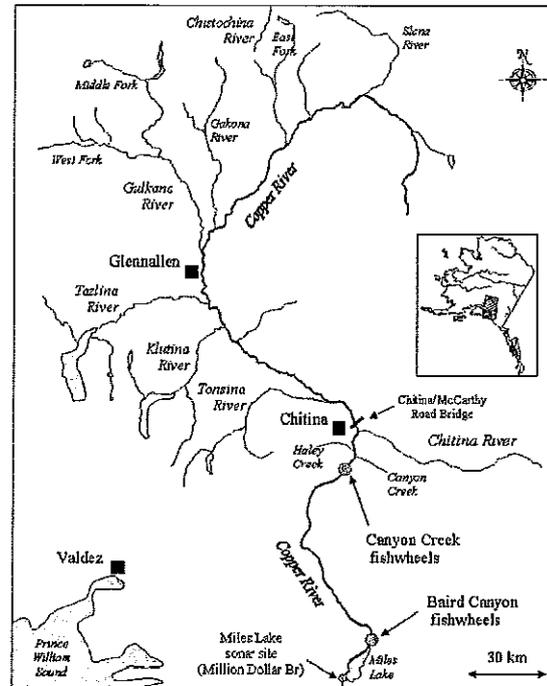


Figure 1. Study area showing the location of the Baird Canyon (tagging) and Canyon Creek (recovery) fishwheels, 2001-2008

average of 10.9 d (median = 9.5 d, range = 3.6 – 33.2 d) to travel between the Baird Canyon and Canyon Creek fishwheels (Fig. 4). There was no significant difference between the cumulative length-frequency distributions of fish marked at Baird Canyon and recaptured at Canyon Creek, or between fish inspected and recaptured at Canyon Creek. This indicated that size selectivity was not present at either sampling location. Daily mark and recapture rates varied over time indicating that a partially stratified Darroch estimator may be required to estimate abundance. *Preliminary results indicate that the 2008 inriver abundance of Chinook salmon migrating above Baird Canyon from 19 May to 4 August will fall in the range of 40,000 - 45,000 fish.*

A total of 142 tagged Chinook salmon (3.6% of those tagged) were reported harvested by the various inriver fisheries. These included: 55 (38.7%) in the combined federal and state subsistence (primarily fishwheels) fisheries, 37 (26.1%) in the personal-use dip net fishery, 14 (9.9%) in the sport fishery, and 36 (25.4%) where the specific fishery was not reported.

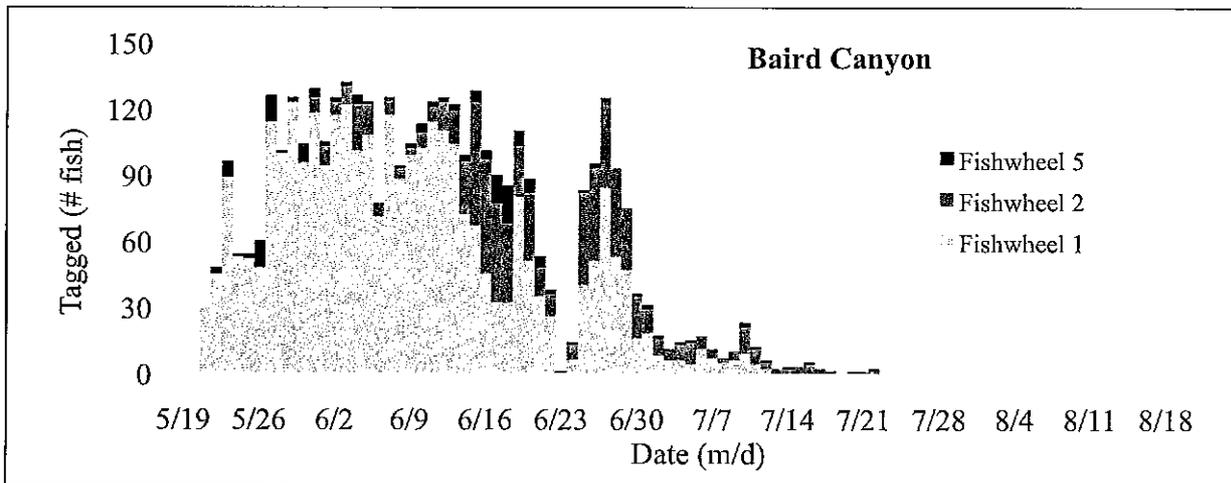


Figure 2. Number of Chinook salmon tagged at the Baird Canyon fishwheels, 2008.

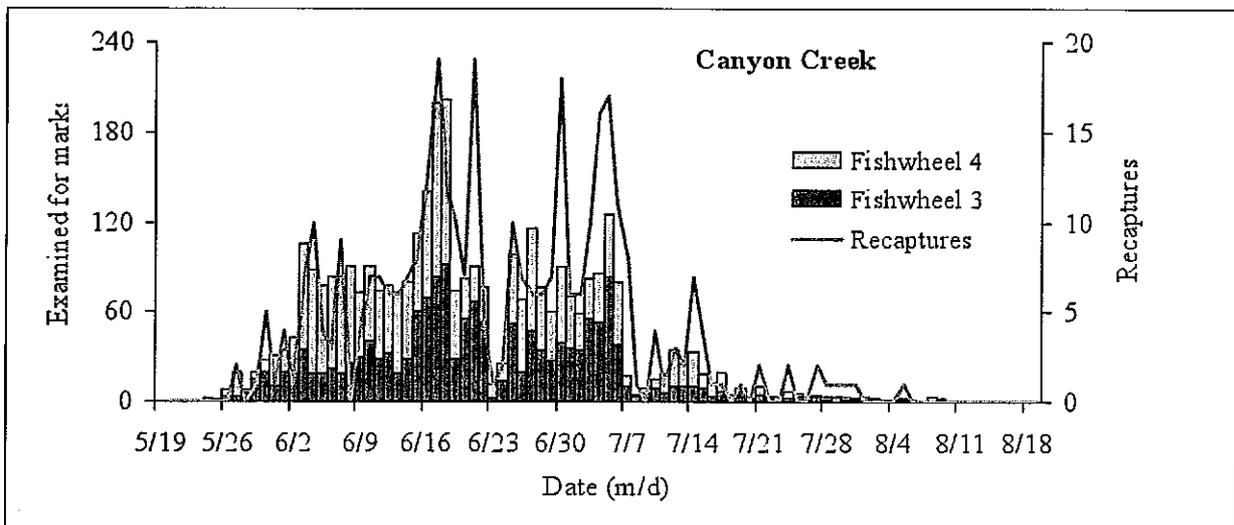


Figure 3. Number of Chinook salmon examined and recaptured at the Canyon Creek fishwheels, 2008.

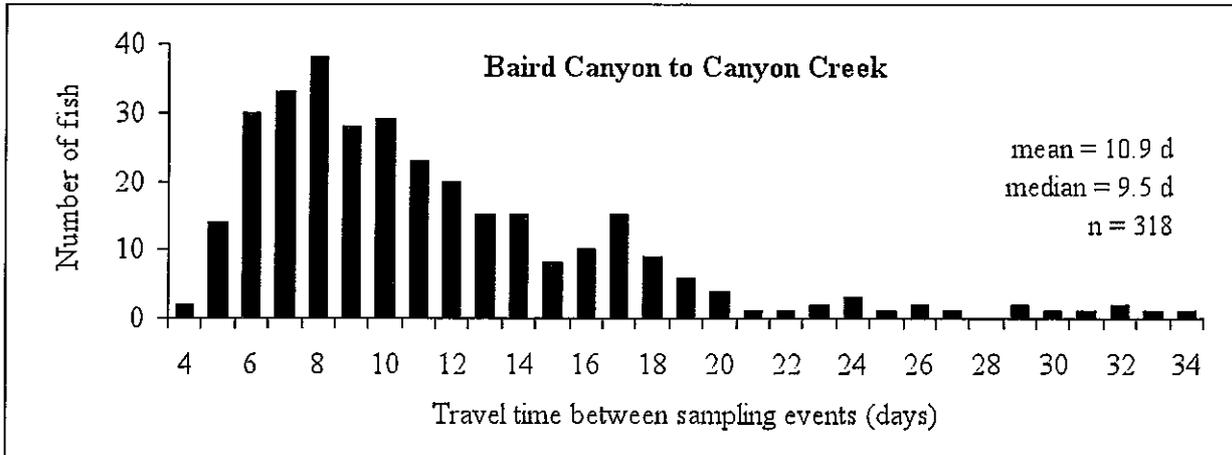


Figure 4. Travel time of Chinook salmon that were tagged at the Baird Canyon fishwheels and recaptured at the Canyon Creek fishwheels, 2008.

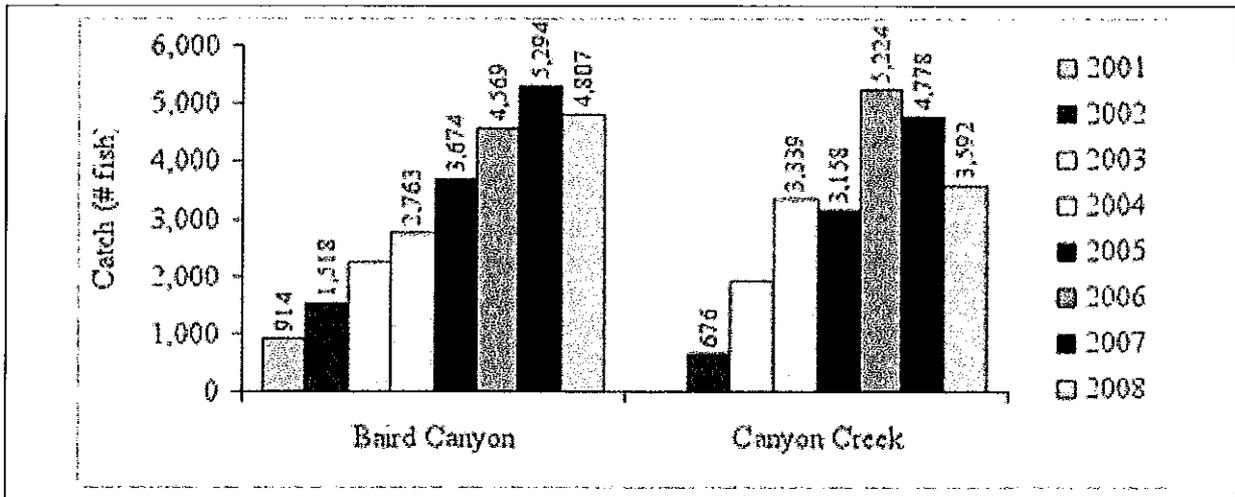


Figure 5. Annual catches of Chinook salmon at the Copper River fishwheels, 2001-08.

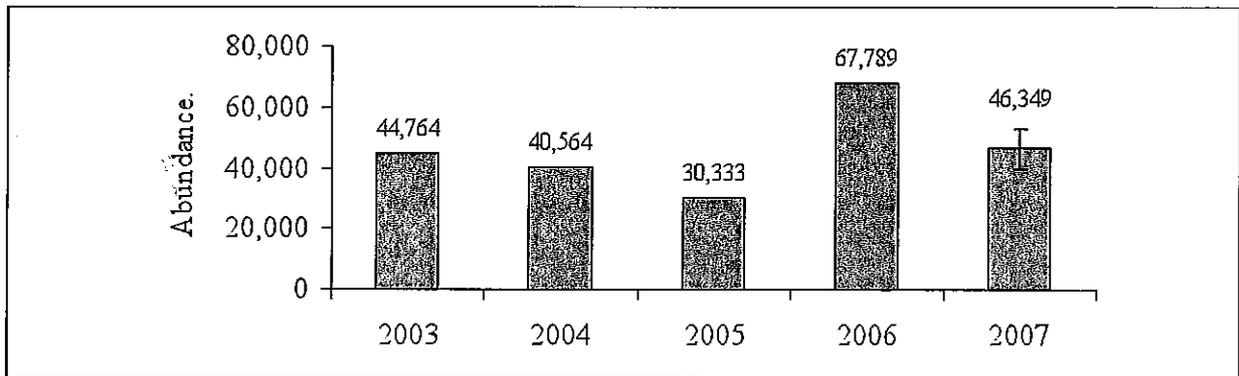
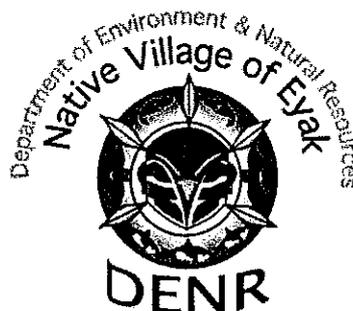


Figure 6. Chinook salmon abundance estimates generated from the Native Village of Eyak mark-recapture studies, 2003-2007. Preliminary results indicate that the 2008 chinook inriver abundance estimate will fall in the range of 40,000- 45,000 fish.

**SPAWNING DISTRIBUTION AND RUN TIMING OF COPPER RIVER SOCKEYE  
SALMON, *ONCORHYNCHUS NERKA*.**

**Special report to the Alaska Board of Fisheries**

**December 2008**



**SUBMITTED BY:**

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**IN PARTNERSHIP WITH:**

NOAA, National Marine Fisheries Service  
Alaska Department of Fish and Game  
United States Forest Service  
United States Fish and Wildlife Service, Office of Subsistence Management

## **OBJECTIVES:**

Using radiotelemetry techniques;

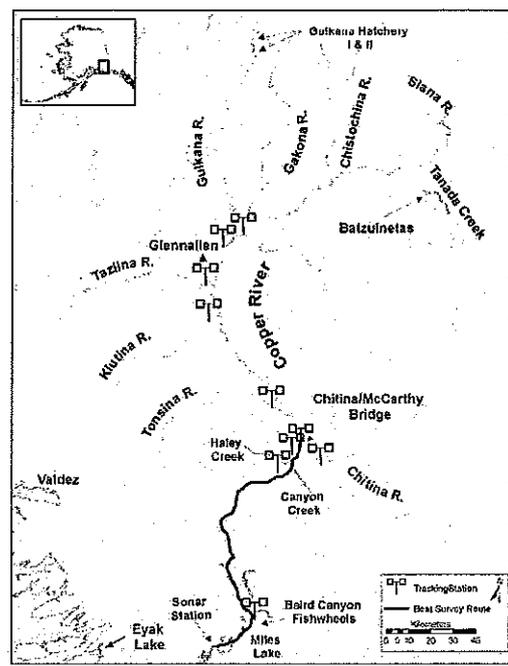
1. Estimate the proportions of sockeye salmon returning to the major spawning tributaries of the Copper River (Lower Copper, Chitina, Tonsina, Klutina, Tazlina, Gulkana, and Upper Copper rivers), such that the proportions are within 10% of the true proportions 95% of the time; and
2. Describe the stock-specific, migratory timing profiles of sockeye salmon in the Copper River at the point of capture in Baird Canyon (rkm 69; Figure 1).

## **METHODS:**

From mid-May to early August each year, approximately 500 sockeye salmon are captured and radiotagged at three fishwheels located in Baird Canyon (rkm 69; Figure 1). A systematic approach is taken to ensure that the radio tags are deployed in proportion to the magnitude and timing of the sockeye salmon run (so that fish from all stocks have an equal probability of being tagged).

The number of radio tags deployed each day was based on a percentage of the daily Miles Lake sonar count (lagged by one day to account for the travel time of fish from Miles Lake to Baird Canyon). Tag rates are adjusted inseason as necessary based on sonar counts, catch per unit effort, and the number of remaining tags.

Radiotagged sockeye salmon are tracked throughout the basin using a combination of ten ground-based tracking stations, three aerial-tracking surveys, and three boat-tracking surveys. Fixed stations are located at strategic locations along the mainstem Copper River, as well as at the mouths of all major spawning tributaries. Information collected from each of these sources, and tag returns from various inriver fisheries, is used to assign “fates” to each radiotagged fish.



**Figure 1. Study area showing the location of the Baird Canyon fishwheels and ground-based tracking stations, 2005-2009**

**RESULTS** (2008 results are preliminary and subject to minor change prior to publication of final reports)

Fate	2005	2006	2007	2008	Total
Deployed at Baird Canyon	521	514	553	508	2096
Deployed at Canyon Creek	0	13	0	0	13
Radio Failure <sup>a</sup>	25	14	28	20	87
Harvested Chitina Subdistrict	22	57	32	10	121
Harvested Glennallen Subdistrict	21	22	32	14	89
Harvested Sport Fishery	5	7	6	5	23
Harvested Unknown Fishery	6	10	18	23	57
Upstream migrant <sup>b</sup>	155	114	148	154	571
Spawner <sup>c</sup>	299	308	297	291	1195

<sup>a</sup> Includes 37 radio tags never detected after release and 46 radio tags that were last detected downstream of the tagging site

<sup>b</sup> Migrated upstream of the Baird station, but was never reported as harvested, and was either never detected after passing the Baird station, or was only detected in the mainstem Copper River between the Baird and Upper Copper stations but not near a known spawning area.

<sup>c</sup> Includes 12 fish harvested in 2005, 5 in 2006, 8 in 2007 and 9 in 2008

Table 1. Fates of radiotagged sockeye salmon, 2005-2008.

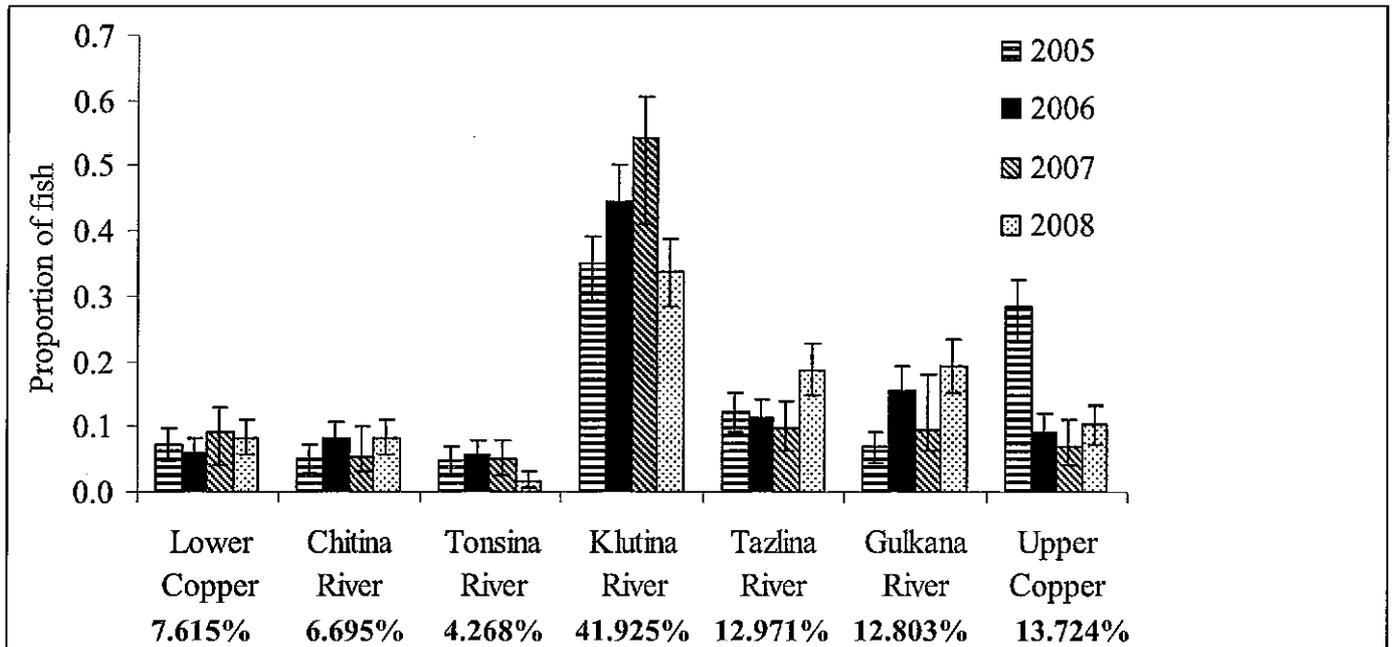


Figure 2. Distribution of radio tagged sockeye salmon in major spawning tributaries, 2005-2008. The percentage of spawning sockeye in each tributary is represented below each tributary.

Table 2. Run-timing patterns of sockeye salmon at the capture site for the major stocks in the Copper River, 2005.

2005 Spawning stock	Duration		Total (d)	Date of Passage	
	Start	End		Mean	SE
Tazlina	10-May	1-Jul	52	31-May	11.7
Upper Copper	12-May	2-Jul	51	2-Jun	13.1
Klutina	19-May	2-Aug	75	13-Jun	16.6
Chitina	27-May	3-Aug	68	30-Jun	23.5
Gulkana	22-May	3-Aug	73	4-Jul	23.3
Lower Copper	17-Jun	2-Aug	46	6-Jul	13.1
Tonsina	6-Jun	1-Aug	56	13-Jul	18.0

Table 3. Run-timing patterns of sockeye salmon at the capture site for the major stocks in the Copper River, 2006.

2006 Spawning Stock	Duration		Total (d)	Date of Passage	
	Start	End		Mean	SE
Upper Copper	28-May	25-Jun	28	7-Jun	8.0
Tazlina	24-May	27-Jul	64	11-Jun	14.1
Klutina	30-May	29-Jul	60	20-Jun	15.2
Lower Copper	29-May	29-Jul	61	28-Jun	17.7
Gulkana	26-May	30-Jul	65	7-Jul	20.5
Chitina	29-May	31-Jul	63	13-Jul	17.6
Tonsina	7-Jun	31-Jul	54	17-Jul	16.0

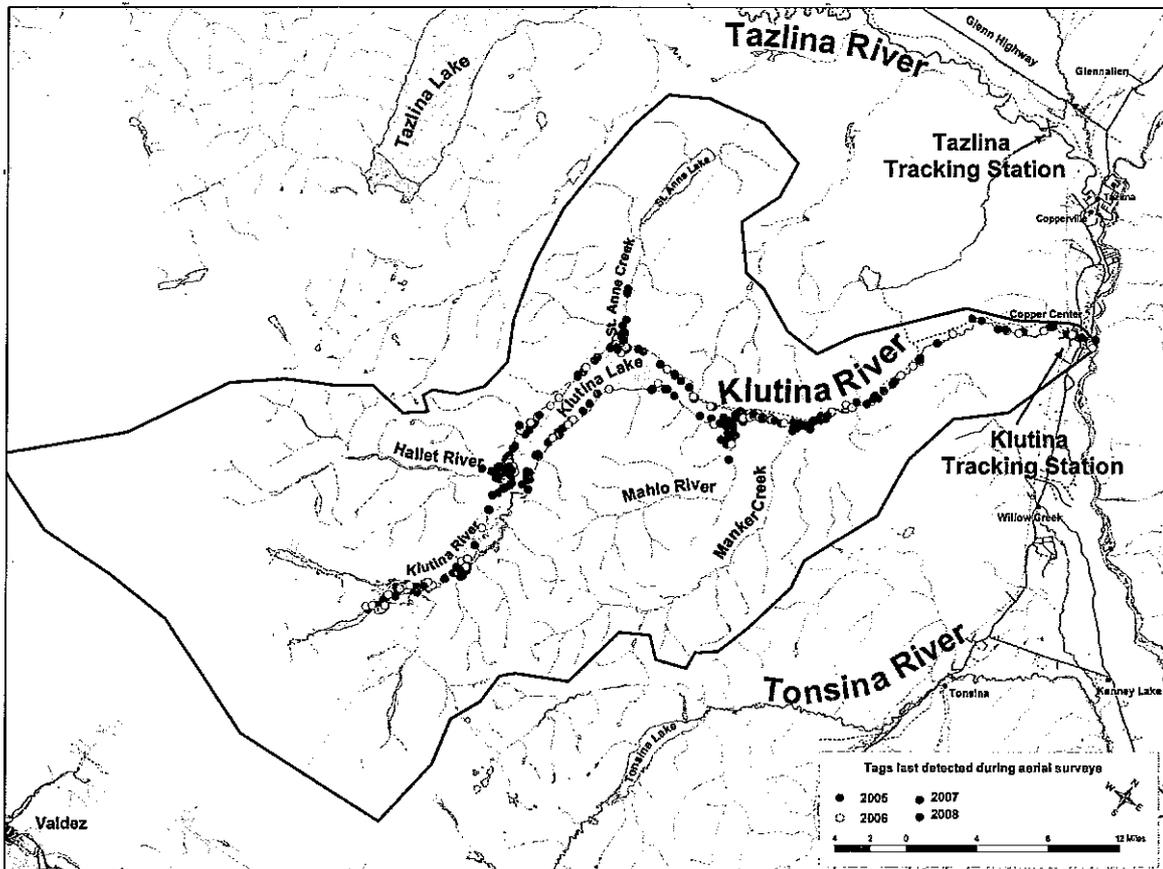
Table 4. Run-timing patterns of sockeye salmon at the capture site for the major stocks in the Copper River, 2007.

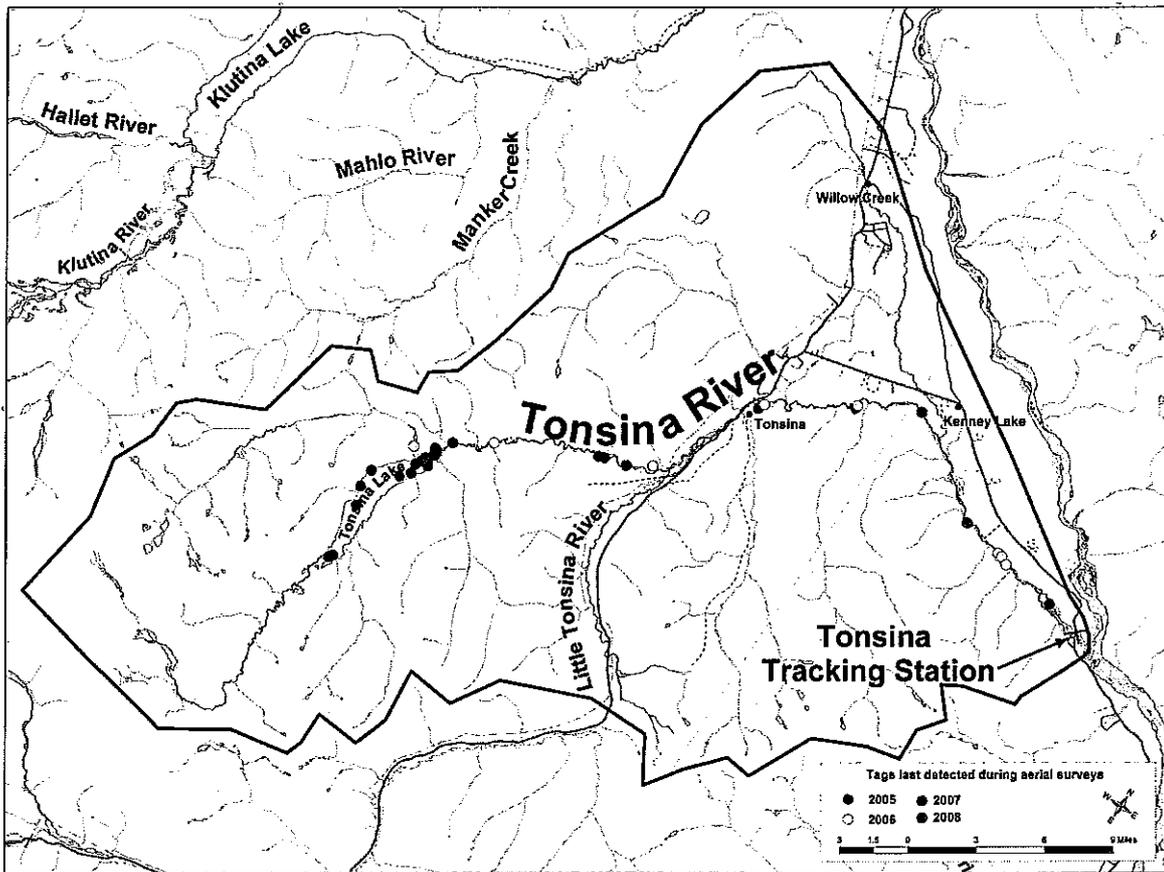
2007 Spawning Stock	Duration		Total (d)	Date of Passage	
	Start	End		Mean	SE
Tazlina	23-May	1-Aug	70	5-Jun	12.8
Upper Copper	29-May	8-Jul	40	11-Jun	12.2
Klutina	24-May	1-Aug	69	16-Jun	14.5
Chitina	29-May	13-Jul	45	19-Jun	14.7
Lower Copper	29-May	31-Jul	63	24-Jun	15.0
Gulkana	5-Jun	6-Aug	62	2-Jul	17.2
Tonsina	20-Jun	5-Aug	46	22-Jul	13.9

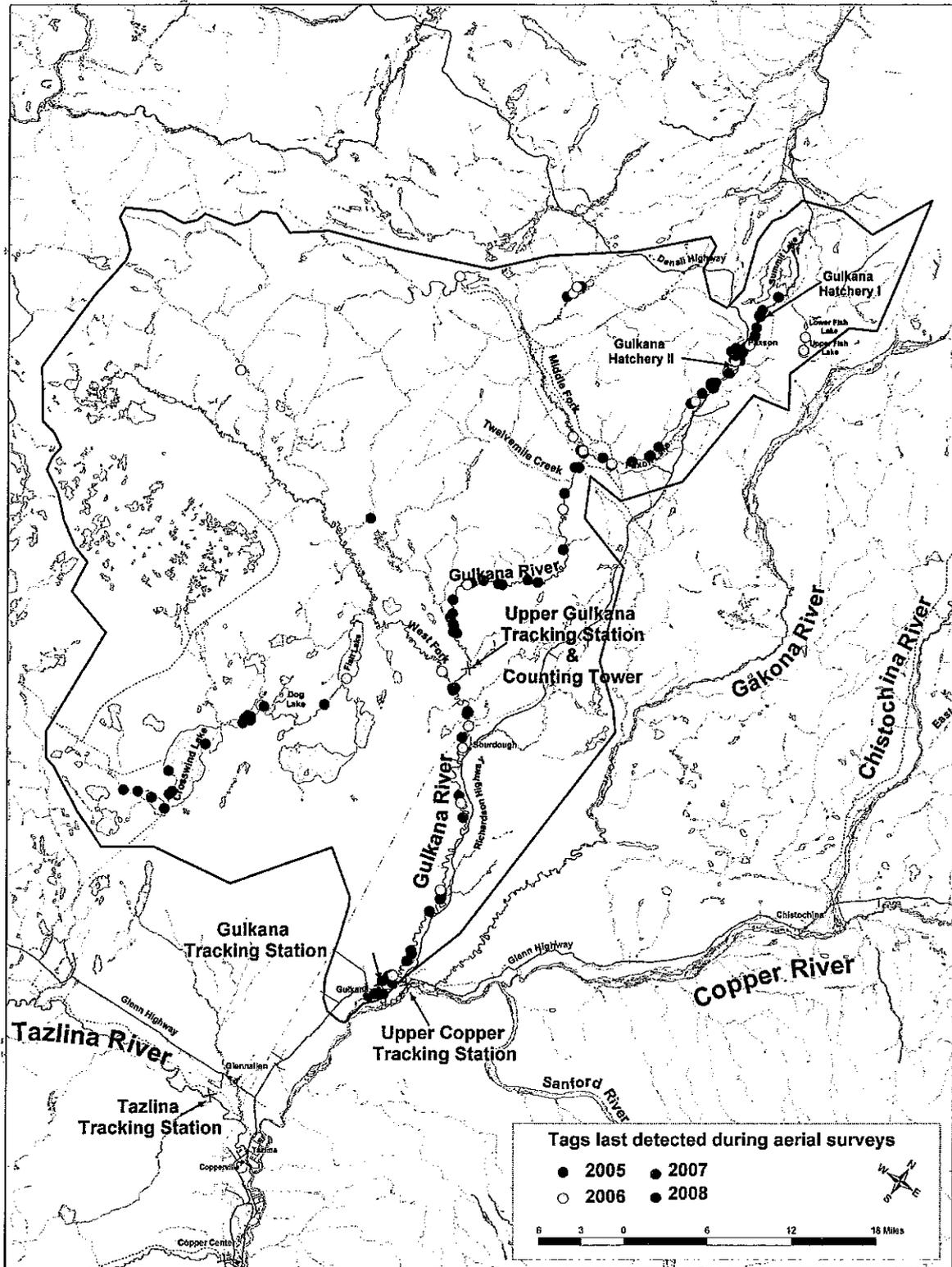
Table 5. Run-timing patterns of sockeye salmon at the capture site for the major stocks in the Copper River, 2008 (preliminary).

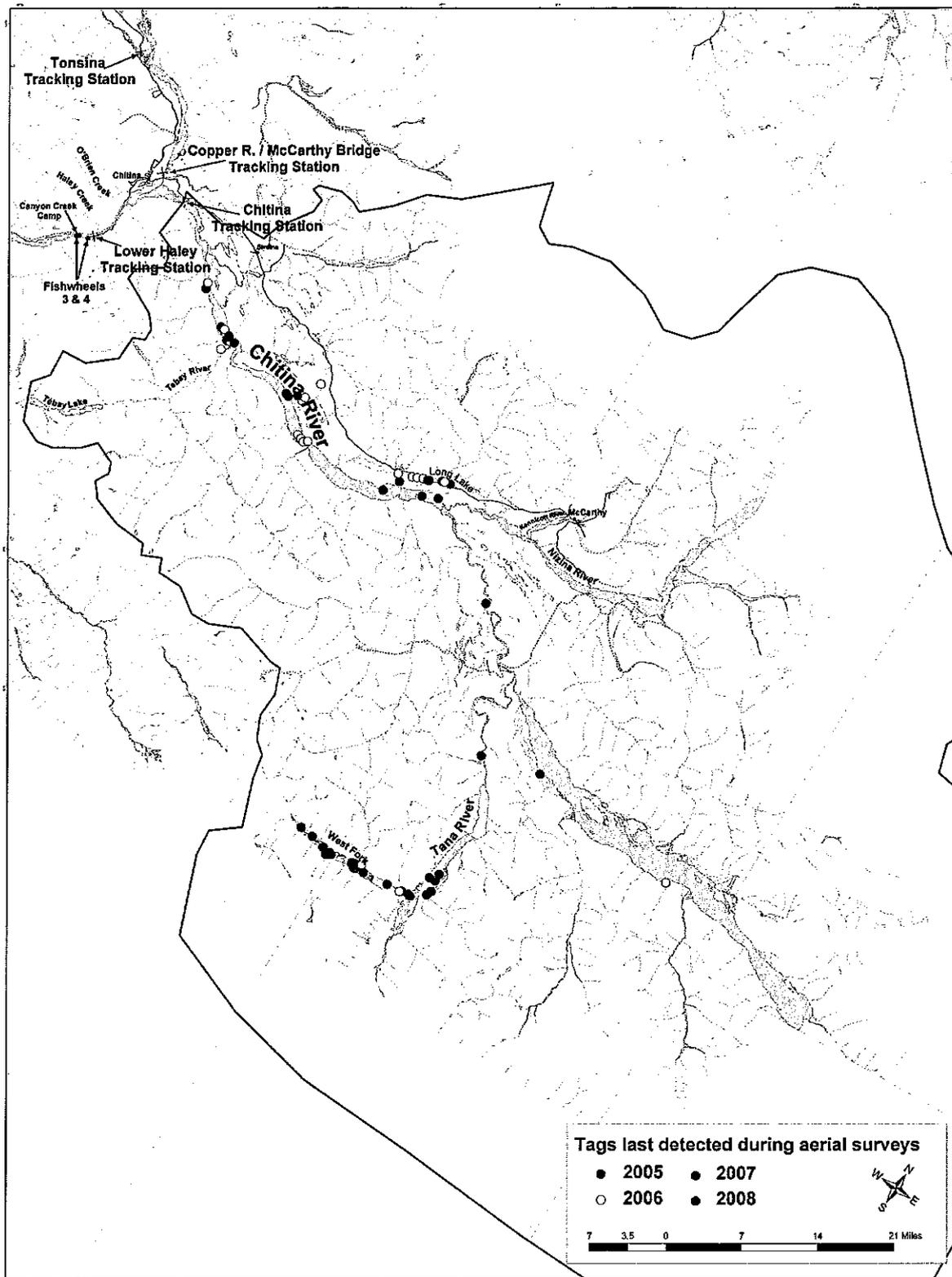
2008 Spawning Stock	Duration		Total (d)	Date of Passage	
	Start	End		Mean	SE
Tazlina	22-May	4-Jul	43	5-Jun	10.8
Upper Copper	24-May	17-Jul	54	12-Jun	12.8
Chitina	23-May	13-Jul	51	13-Jun	13.9
Klutina	24-May	8-Jul	45	15-Jun	14.8
Gulkana	28-May	25-Jul	58	29-Jun	14.1
Lower Copper	10-Jun	24-Jul	44	3-Jul	11.3
Tonsina	5-Jul	28-Jul	23	19-Jul	8.8

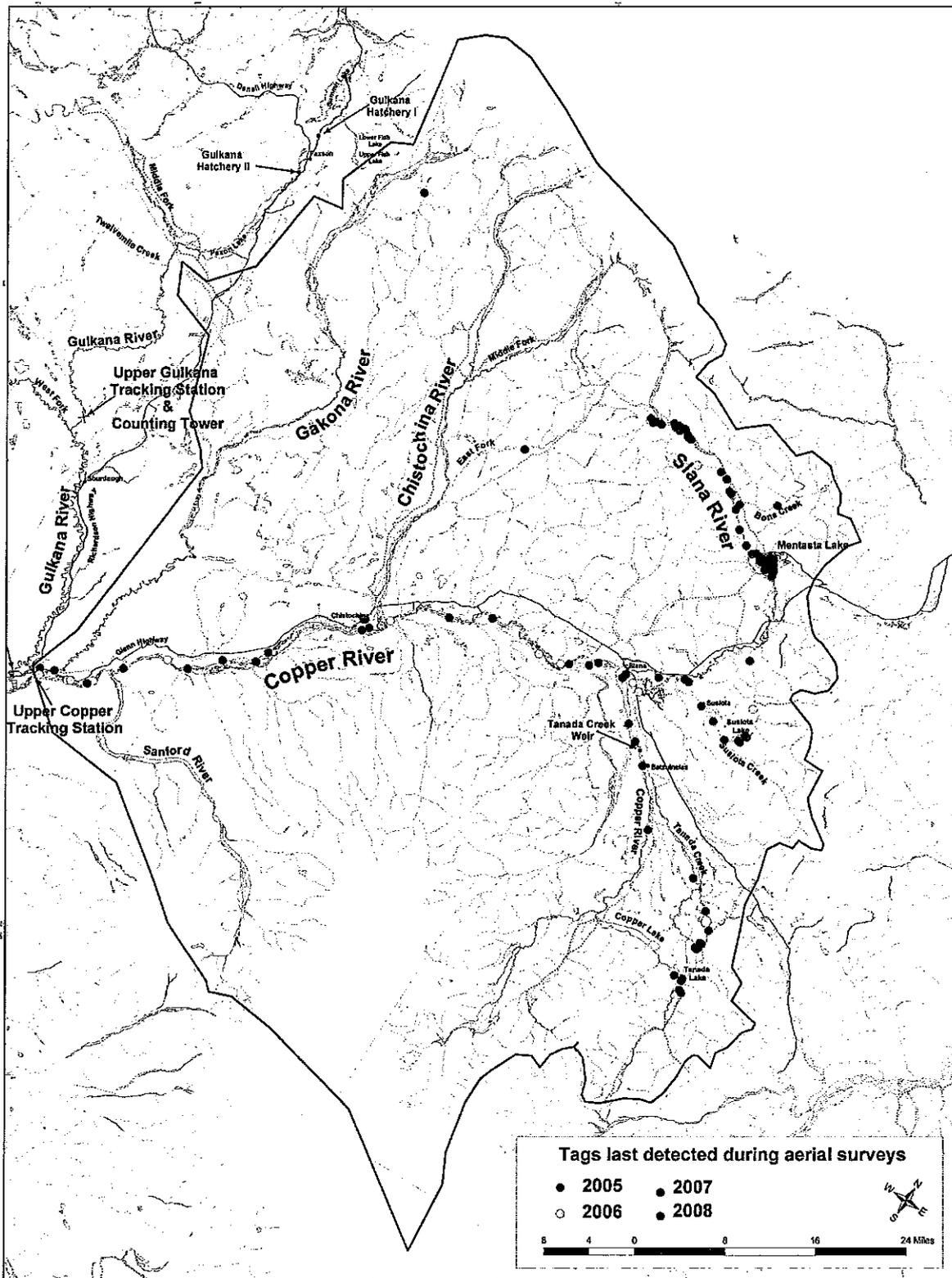
Figures 3-9 (following). Maps of each of the major drainages of the Copper River, showing final aerial detection fates on the spawning tributaries, 2005-2008



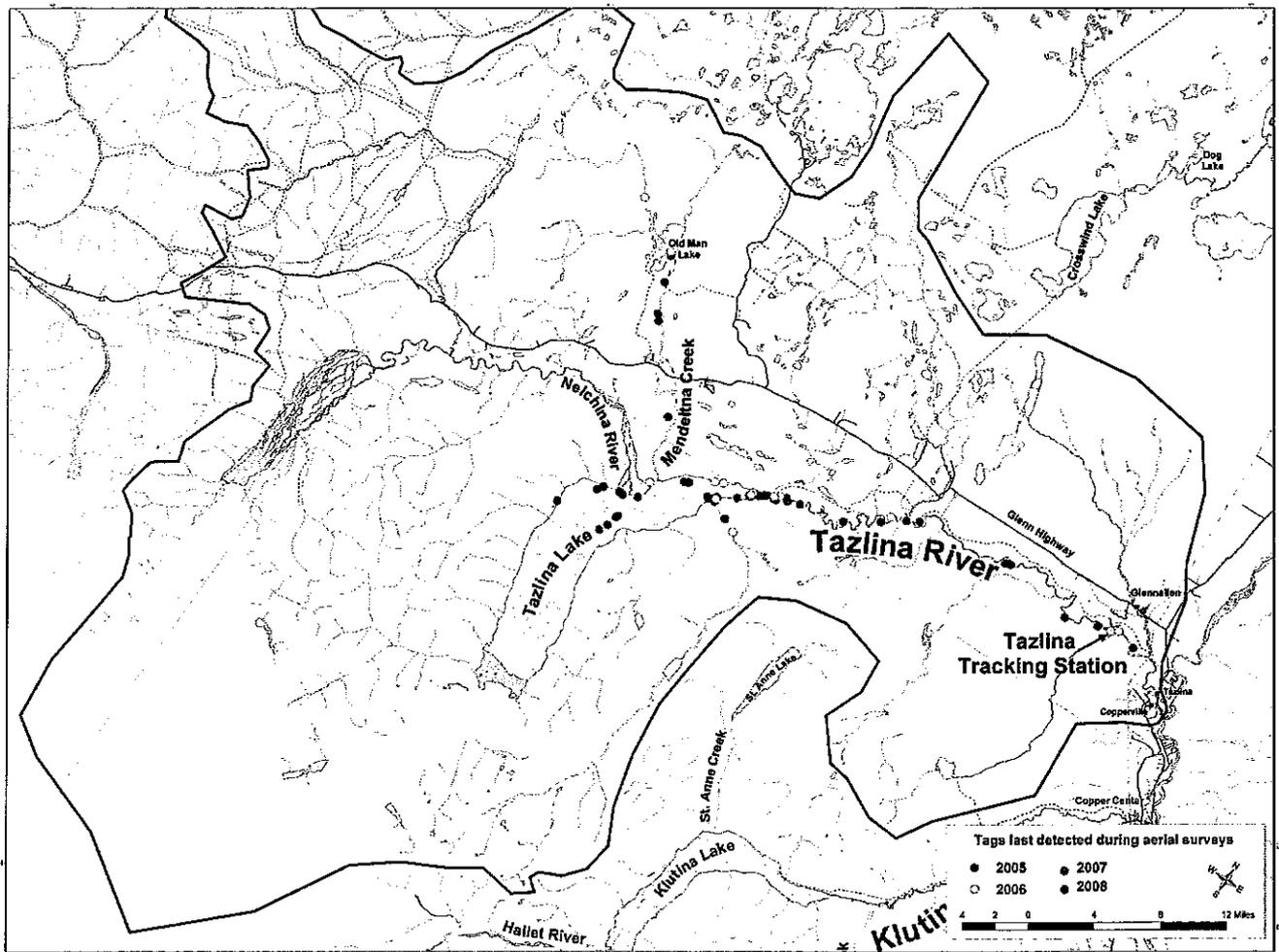










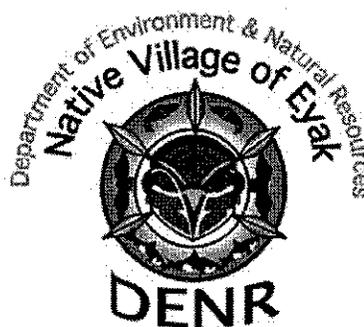


RC7

**RC7- ESTIMATING THE INRIVER ABUNDANCE OF COPPER RIVER  
SOCKEYE SALMON, *ONCORHYNCHUS NERKA*.**

**Special report to the Alaska Board of Fisheries**

**December 2008**



**SUBMITTED BY:**

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**IN PARTNERSHIP WITH:**

United States Forest Service  
United States Fish and Wildlife Service, Office of Subsistence Management  
Alaska Department of Fish and Game

**OBJECTIVES:** Use fishwheels and two-sample mark-recapture methods to estimate the inriver abundance of sockeye salmon *Oncorhynchus nerka* in the Copper River above Baird Canyon such that the estimate is within 25% of the true escapement 95% of the time.

**METHODS:** In 2008, sockeye salmon were captured and tagged at three fishwheels operated almost continuously from 19 May to 4 August at Baird Canyon (river km 66). Healthy sockeye salmon received a specifically designed external TBA-PIT tag, which is comprised of a 134.2 kHz, passive RFID transponder encapsulated on a t-bar style dorsal tag with two, 25-mm monofilament lines terminating in perpendicular 9-mm anchor bars. Unique tag numbers are electronically encoded on the transponder. The portion of each day's sockeye salmon catch that received a tag was based on a percentage of the Miles Lake sonar count the previous day.

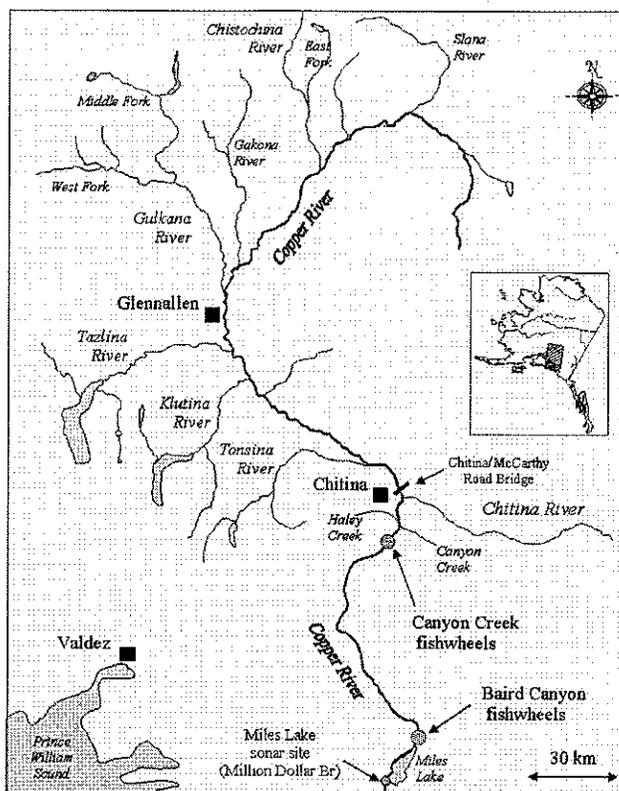


Figure 1. Study area showing the location of the Baird Canyon (tagging) and Canyon Creek (recovery) fishwheels, 2001-2008

The second event of this mark-recapture study consisted of two fishwheels operated at Canyon Creek (91 km upstream of Baird Canyon) from 20 May to 19 August 2008. All sockeye salmon captured at the Canyon Creek fishwheels were inspected for tags. Tagged fish were scanned using a PDA with a built-in RFID scanner. Since the TBA-PIT tags were externally visible, it is unlikely that a tagged fish was captured and not observed at Canyon Creek. A subsample of each day's catch of sockeye salmon at both sample locations was sexed and measured for length.

Consistency tests were conducted to determine whether any assumptions of the mark-recapture experiment were violated. Based on the results of these tests, an appropriate model (e.g., modified Petersen or partially stratified Darroch) was chosen and the computer program SPAS was used to calculate the abundance estimate and associated error.

**RESULTS** (2008 results are preliminary and subject to minor change prior to publication of final reports)

In 2008, 25,237 sockeye salmon were captured at Baird Canyon, and of these, 11,282 fish (44.7%) were tagged (Fig. 2). The number of sockeye salmon tagged each day varied from 0 to 438. 50,305 sockeye salmon were captured at Canyon Creek, and of these, 50,293 were inspected for marks. 838 of the examined fish were tagged (Fig. 3). The number of fish inspected each day ranged from 0 to 1,329 and the number of recaptures each day ranged from 0 to 21.

In total, 7.4% of sockeye salmon tagged at Baird Canyon were subsequently recaptured at Canyon Creek, and 1.7% of fish inspected at Canyon Creek were tagged. Tagged fish took an average of 11.2 d (median = 11.0 d, range = 3.2 – 56.4 d) to travel between the Baird Canyon and Canyon Creek fishwheels (Fig. 4). We found no significant difference between the cumulative length-frequency distributions of fish marked at Baird Canyon and recaptured at Canyon Creek, or between fish inspected and recaptured at Canyon Creek. This indicated that size selectivity was not present at either sampling location. Daily mark and recapture rates varied over time, indicating that a partially stratified Darroch estimator may be required to estimate abundance.

*At the time this report was prepared, the 2008 inriver abundance of sockeye salmon migrating above Baird Canyon from 19 May to 4 August has not yet been generated, but preliminary results indicate the inriver abundance estimate will not vary as significantly with the Miles Lake sonar count as seen in 2007. In 2007, an estimated 1,290,591 (SE = 92,590) sockeye salmon migrated above Baird Canyon from 18 May to 6 August. If the estimated number of chinook salmon that migrated above Baird Canyon (46,349) was subtracted from the Miles Lake Sonar count (926,438), then the sockeye salmon estimate in 2007 was 47% greater than the sonar count. A large proportion of the difference between the mark-recapture estimate and Miles Lake count was attributed to the first week of June when high abundances of sockeye salmon were passing through the study area.*

In 2008, 404 tagged sockeye salmon (3.6% of those tagged) were reported harvested by the various inriver fisheries. Recoveries included: 127 (31.4%) in the personal-use dip net fishery, 92 (22.8%) in the combined federal and state subsistence (primarily fishwheels) fisheries, 8 (2.0%) in the sport fishery, 1 (0.2%) in an ADF&G test fishery, and 176 (43.6%) where the specific fishery was not reported. This compares with a reported harvest of 1,012 tagged sockeye salmon in 2007 (367 subsistence, 524 PU, 61 sport, 2 commercial, 57 unknown).

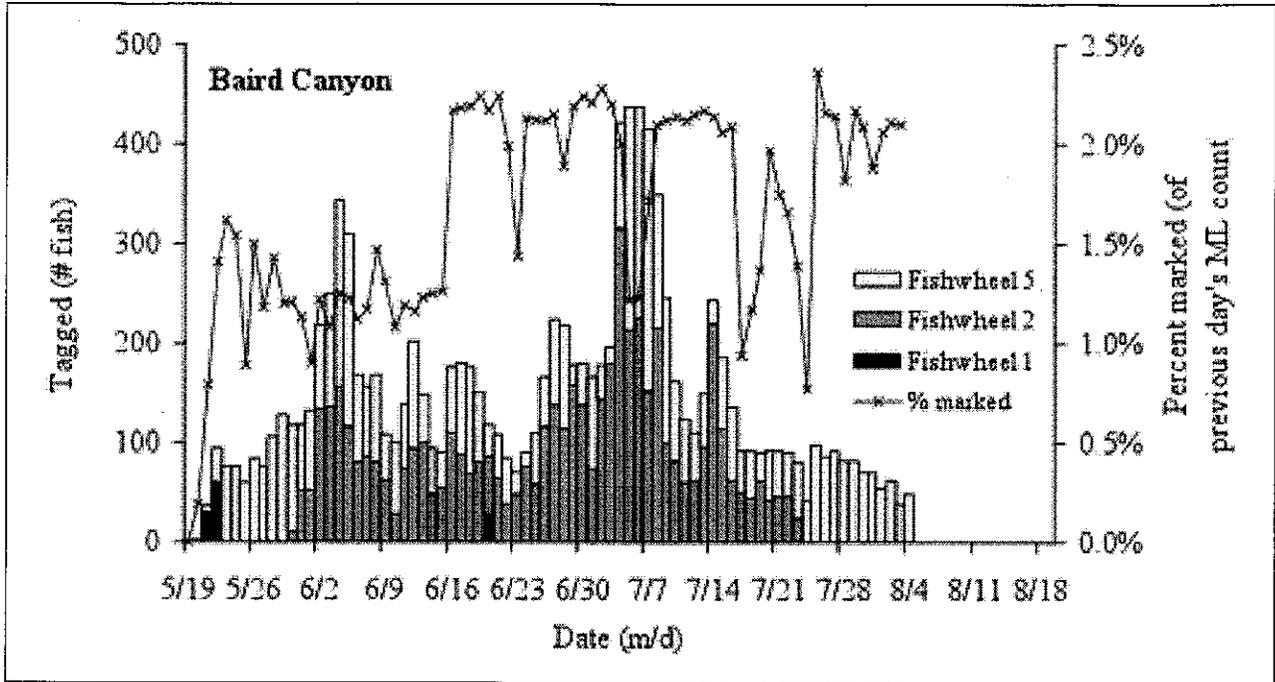


Figure 2. Number of sockeye salmon tagged at the Baird Canyon fishwheels, 2008.

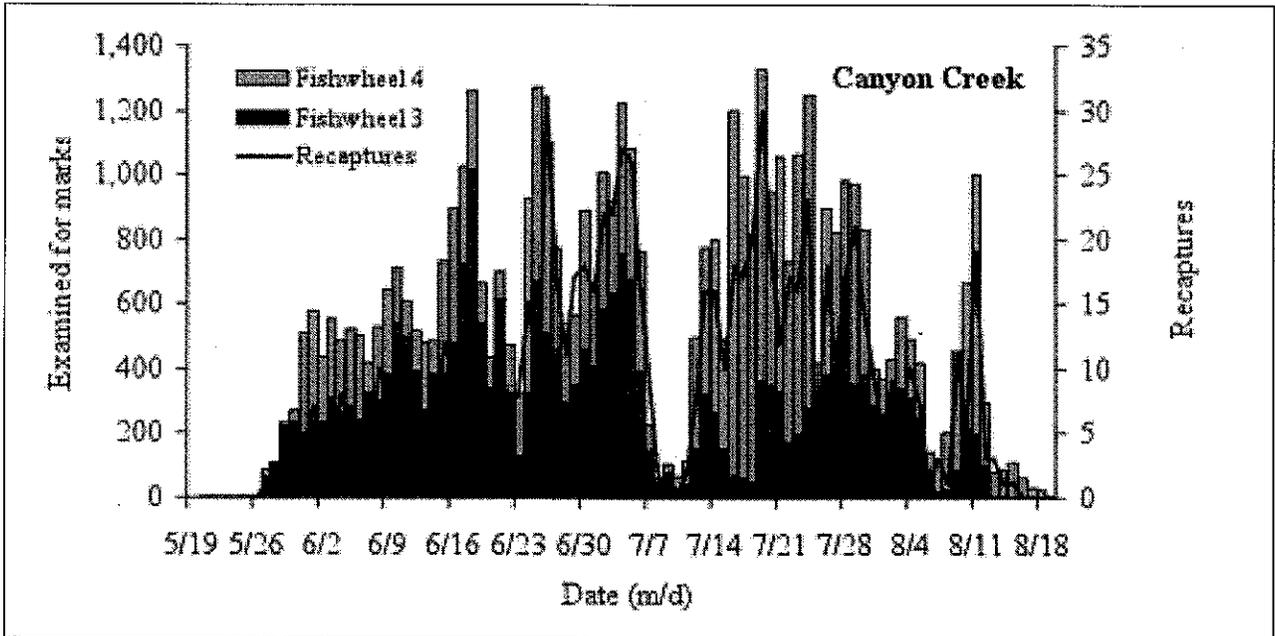


Figure 3. Number of sockeye salmon examined and recaptured at the Canyon Creek fishwheels, 2008.

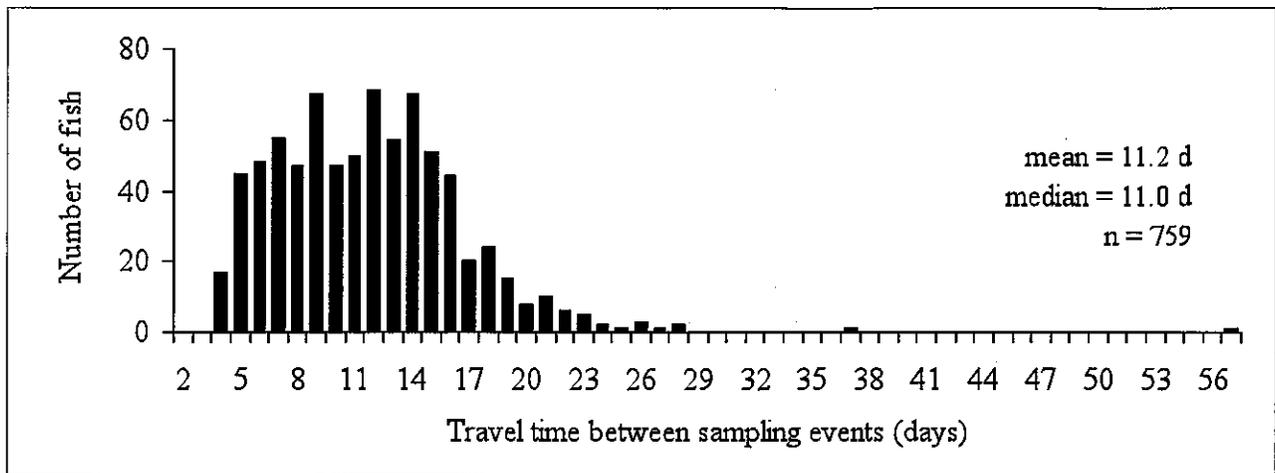


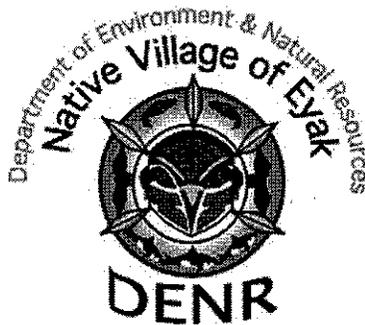
Figure 4. Travel time (days) of sockeye salmon that were tagged at the Baird Canyon fishwheels and recaptured at the Canyon Creek fishwheels, 2008.

**RC8- LENGTH FREQUENCY DISTRIBUTIONS AND MIRGRATION SPEEDS  
OF INRIVER COPPER RIVER CHINOOK AND SOCKEYE SALMON, 2002-08**

**Special report to the Alaska Board of Fisheries**

**December 2008**

RC 8



**SUBMITTED BY:**

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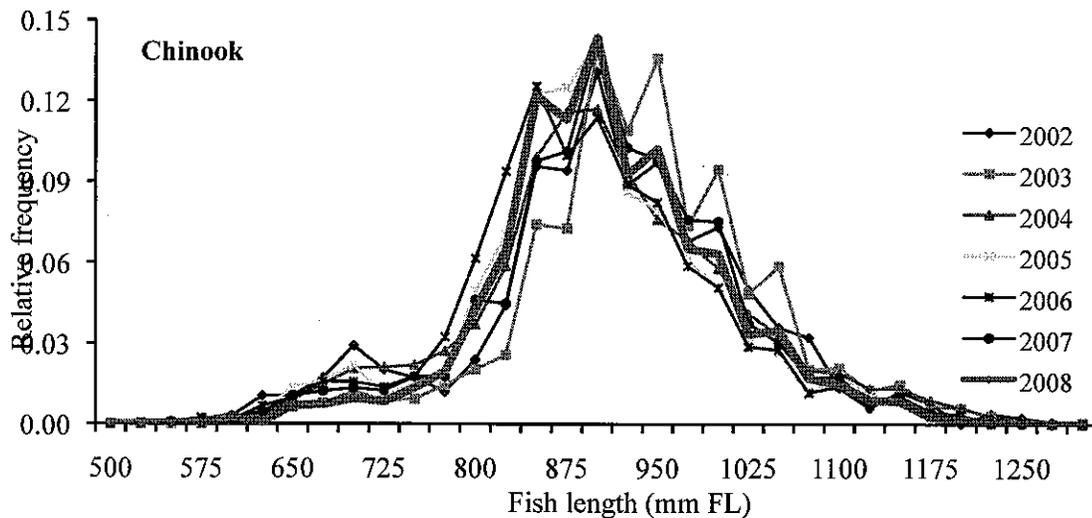
**IN PARTNERSHIP WITH:**

United States Forest Service  
United States Fish and Wildlife Service, Office of Subsistence Management  
Alaska Department of Fish and Game

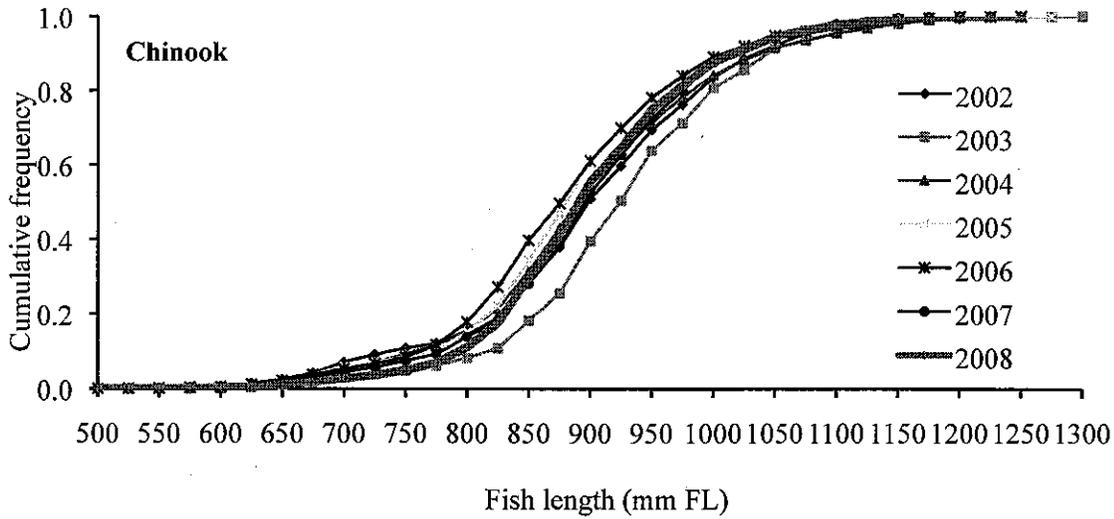
**Overview:** The following tables and figures synthesize additional data collected on NVE's chinook and sockeye monitoring programs, but not presented in RC5-7.

**Table 1.** Travel time (days) for tagged sockeye and chinook salmon to migrate from the Baird Canyon fishwheels to the Canyon Creek fishwheels (~99 river km), 2002-2008. Note that the distance between Miles Lake sonar and the lower boundary of the Chitina Subdistrict is approximately 20 km further than this distance.

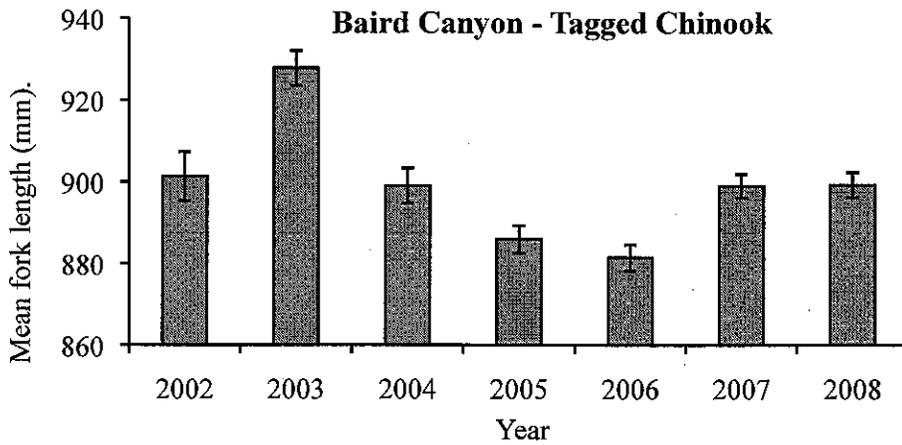
Year	Chinook salmon					Sockeye salmon				
	Mean	Median	Min	Max	n	Mean	Median	Min	Max	n
2002	12.5	11.0	7.0	30.0	15					
2003	14.3	13.0	5.0	30.0	101					
2004	11.6	9.0	4.0	42.0	187					
2005	13.5	12.0	2.0	39.0	315	16.2	15.0	7.0	38.0	72
2006	14.3	13.2	4.5	43.1	377	10.2	9.0	3.0	31.0	753
2007	13.2	12.2	3.6	56.7	453	10.7	9.5	3.6	30.6	487
2008	10.9	9.5	3.6	33.2	318	11.2	11.0	3.2	56.4	759



**Figure 2.** Relative length frequency (mm FL) distribution of tagged chinook salmon at Baird Canyon fishwheels, 2002-2008. Note that these samples exclude individuals less than 500mm.



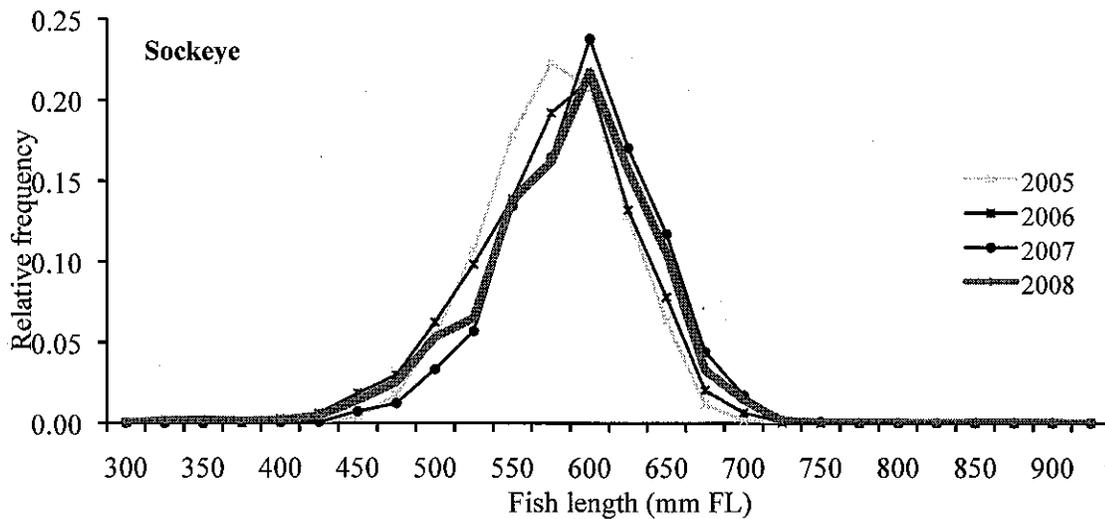
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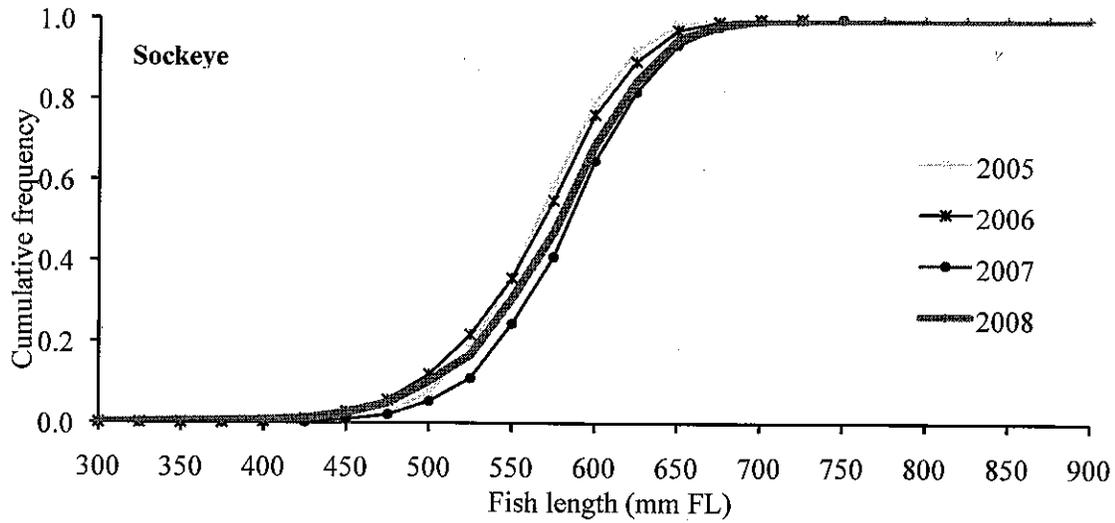
**Figure 4.** Mean nose to fork length (mm FL) of tagged chinook salmon at Baird Canyon fishwheels, 2002-2008. Note that these samples exclude individuals less than 500mm.

**Table 5.** Summary length (mm FL) data for tagged chinook salmon at Baird Canyon fishwheels, 2002-2008. Note that these samples exclude individuals less than 500mm.

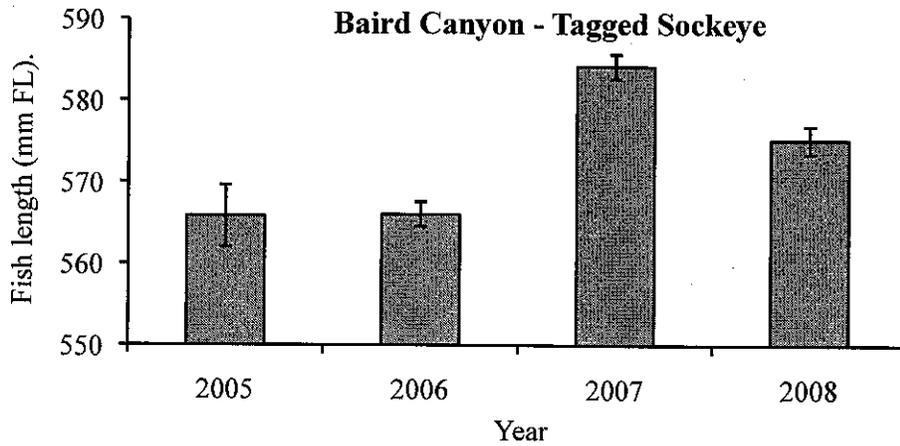
Year	Mean	Median	Min	Max	n	95% Confidence Limits	
						Lower	Upper
2002	901	900	570	1,258	1,338	895	907
2003	928	925	530	1,280	2,063	923	932
2004	899	890	585	1,265	2,511	895	903
2005	886	880	520	1,270	3,369	883	889
2006	881	880	510	1,250	4,020	878	885
2007	899	900	525	1,210	4,424	896	902
2008	899	890	540	1,240	3,589	896	902



**Figure 6.** Relative length frequency (mm FL) distribution of tagged sockeye salmon at Baird Canyon fishwheels, 2005-2008.



**Figure 7.** Cumulative length frequency (mm FL) distribution of tagged sockeye salmon at Baird Canyon fishwheels, 2005-2008.



**Figure 8.** Mean nose to fork length (mm FL) of tagged sockeye salmon at Baird Canyon fishwheels, 2005-2008.

**Table 9.** Summary length (mm FL) data for tagged sockeye salmon at Baird Canyon fishwheels, 2005-2008.

Year	Mean	Median	Min	Max	n	95% Confidence Limits	
						Lower	Upper
2005	566	570	306	680	520	562	570
2006	566	570	320	720	4,186	565	568
2007	584	590	360	740	3,770	583	586
2008	575	580	310	880	4,070	573	577

**DELIBERATION MATERIALS**

**COMMITTEES A and D**

Prepared by  
**ALASKA DEPARTMENT OF FISH AND GAME, SPORT FISH DIVISION**

**FOR THE PRINCE WILLIAM SOUND-COPPER RIVER-  
UPPER COPPER /UPPER SUSITNA MANAGEMENT AREAS**

**ALASKA BOARD OF FISHERIES MEETING  
CORDOVA, ALASKA**

**DECEMBER 1-7, 2008**



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## **REGULATORY HISTORY - PERSONAL USE FISHERIES CHITINA SUBDISTRICT, PERSONAL USE**

The Chitina Subdistrict personal use salmon fishery was established in 1984.

### **Regulations as of 1987:**

- Salmon may be taken in the personal use fishery only in the Chitina Subdistrict from June 1 through September 30 only during periods established by E.O.
- Chitina Subdistrict defined as: all waters of the mainstem Copper River from the downstream edge of the Chitina-McCarthy Road Bridge downstream to an east-west line across the Copper River at the upstream side of Haley Creek, as designated by ADFG markers and also on the east side of the river from the upstream edge of the Chitina-McCarthy Road Bridge to an ADFG marker ¼ mile upstream.
- Lawful gear was dip net or fish wheel.
- Only one type of gear allowed per permit.
- Dip nets were only allowed in the Chitina Subdistrict downstream from the Chitina-McCarthy Road Bridge.
- Fish wheels were only allowed on the east side, for ¼ mile upstream of Bridge.
- Each fish wheel operator must closely attend the fish wheel when it is in use.
- A Chitina Subdistrict personal use salmon fishing permit is required. Only one permit allowed per household. A permit holder must also have a AK resident sport fishing license. A household which has already been issued a Copper River subsistence permit may not be issued a Chitina Subdistrict personal use salmon fishing permit.
- Marking of salmon: both lobes of caudal or tail fin must be immediately removed. (Under Statewide Provisions.)
- There was a total annual limit of 15 salmon for a household of one, and 30 for a household of more than one.
- If the Copper River personal use harvest was less than 45,000 by the end of the fifth week, then the above limits were increased to 20 for individual, 40 for a household of two, and 15 salmon for each additional person in a household of more than two.

### **Management Plan:**

- Maximum personal use harvest of 60,000 through August 31.
- ADFG shall manage the personal use fishery to apportion the 60,000 as follows:

Week 1            10%

Week 2        20%

Week 3        25%

Week 4        20%

Week 5        15%

The remaining 10% may be taken during the rest of the season.

- The escapement goal passing the sonar was 401,000, plus hatchery brood and surplus salmon determined by the department annually.
- When more than the escapement goal passed the sonar counter, 25% of the excess was allocated to personal use fishery.
- The opening of personal use fishery may be delayed up to 10 days, depending upon the strength and timing of the sockeye salmon run.

**1989:**

- A limit of 5 king salmon per permit is added to regulation.

**1991:**

- Chitina Subdistrict definition was changed to no longer include any water upstream of the Chitina-McCarthy Road Bridge.
- Lawful gear became exclusively dip nets.
- Sonar escapement goal was increased to 516,000.
- A \$10 fee is required for the Chitins Subdistrict personal use permit.

**1997:**

**Management Plan:**

- The commissioner shall establish a preseason schedule, June 1 through August 31, based on daily sonar counts. Adjustments shall be made to the schedule based on actual sonar counts compared to projected counts.
- The area within the Chitina Subdistrict open to dipnetting was defined to be from the downstream edge of the Chitina-McCarthy Road Bridge downstream to ADFG markers approximately 200 yards upstream of Haley Creek.
- Maximum personal use harvest increased to 100,000 salmon, not including any salmon in excess of the inriver goal or salmon taken after August 31.
- Total annual limit is 15 for individual and 30 for household of more than one.
- Personal use king salmon limit reduced to 4 per household permit.
- Rainbow or steelhead trout must be released.
- Marking of salmon is listed under area regulations: both lobes of caudal or tail fin must be immediately removed. (Repealed back to Statewide Provisions after this season.)

**1998:**

**Management Plan:** (additions to the existing plan)

- Supplemental permits for 10 additional sockeye shall be available when ADFG determines that a weekly harvestable surplus of 50,000 salmon or greater will be present in the Chitina Subdistrict. An additional supplemental permit may be issued to a permittee who has met the limits of a previously issued supplemental permit.
- If the Copper River District commercial fishery is closed for 13 or more consecutive days, then the maximum harvest level in the Chitina Subdistrict is reduced to 50,000 (from 100,000).

**2000:**

- Personal use fishery was repealed as a result of a positive C&T finding (December 1999 BOF) and re-classified as subsistence.

**2003:**

- Personal use fishery was re-instated as a result of a negative C&T finding (February 2003 BOF).

## **REGULATORY HISTORY - SUBSISTENCE SALMON FISHERIES CHITINA SUBDISTRICT, SUBSISTENCE**

**In effect as of 1984:**

- The Chitina Subdistrict consists of all waters of the mainstem Copper River from the downstream edge of the Chitina-McCarthy Road Bridge downstream to an east-west line crossing the Copper River at the confluence of the unnamed stream located approximately 1¼ mile below the U.S.G.S. gauging cable across the Copper River, as designated by the ADFG regulatory markers. (The Upper Copper River District also had this downstream boundary.)
- Salmon may be taken in the Chitina Subdistrict only when that subdistrict is open to personal use salmon fishing.
- Salmon may not be taken under a subsistence permit on the east side of the Copper River from the upstream edge of the Chitina-McCarthy Road Bridge upstream to the ADF&G regulatory marker located ¼ mile upstream of the bridge.
- Gear is limited to dip net.
- Only one subsistence fishing permit will be issued to each household per year. A household which has already been issued a Upper Copper River District subsistence permit may not be issued a Chitina Subdistrict personal use salmon fishing permit.

- Permits must be returned to the department no later than October 31 or a permit for the following year may be denied.
- Marking of subsistence salmon: dorsal fin must be immediately removed.
- Participation is limited. A subsistence permit for the Upper Copper River District will be issued only to those persons domiciled in Game Mgt. Units 11, 13-A, 13-B, 13-C, and 13-D, the Jacksina River drainage, and the communities of Tetlin, Northway, Dot Lake, Tanacross, and Tok.
- The total annual possession limit for an Upper Copper River District subsistence salmon fishing permit is 30 salmon for a household of one, 60 for a household of two persons, and 10 salmon for each additional member of the household. Upon request, permits will be issued for additional salmon of no more than a total of 200 salmon for a household of one and no more than 500 salmon for a household of two or more.

**1986:**

- The Chitina Subdistrict consists of all waters of the Upper Copper River District downstream of the downstream edge of the Chitina-McCarthy Road Bridge to an east-west line crossing the Copper River approximately 200 yards upstream of Haley Creek as designated by ADF&G regulatory markers and the east side of the Copper River upstream of the upstream edge of the bridge to an ADFG marker located ¼ mile upstream of the bridge.

**1991:**

- The Chitina Subdistrict was closed to subsistence fishing. Personal use fishing continued.
- The Chitina Subdistrict no longer contains waters on the east side of the Copper River upstream of the Chitina-McCarthy Road Bridge.

**2000:**

- Personal use fishery was repealed as a result of positive C&T finding (December 1999 BOF) and re-classified as Subsistence.
- The commissioner shall establish a preseason schedule, June 1 through August 31, based on daily projected sonar counts. Adjustments shall be made to the schedule based on actual sonar counts compared to projected counts.
- The area within the Chitina Subdistrict open to dipnetting was defined to be from the downstream edge of the Chitina-McCarthy Bridge downstream to the ADFG markers approximately 200 yards upstream of Haley Creek.
- Maximum harvest is set at 100,000 – 150,000 salmon, not including any salmon in excess of the inriver goal or salmon taken after August 31.
- Salmon may be taken from June 1 through Sept. 30.
- Total seasonal limit is 15 for individual and 30 for household of more than one.

- A household may not be issued both a Glennallen Subdistrict subsistence salmon fishing permit and a Chitina Subdistrict subsistence salmon fishing permit.
- A \$25 fee is required for a permit.
- King salmon limit was one.
- Marking of subsistence salmon: both tips (lobes) of the tail fin (caudal) must be immediately removed.
- Rainbow or steelhead trout must be released.
- If ADFG determines that a weekly harvestable surplus of 50,000 salmon or greater will be present in the Chitina Subdistrict then supplemental permits for 10 additional sockeye shall be available to permit holders that have met the seasonal limit. An additional supplemental permit may be issued to a permittee who has met the limits of a previously issued supplemental permit.

**2003:**

- The subsistence fishery was rescinded as a result of a negative C&T finding (February 2003 BOF).

**GLENNALLEN SUBDISTRICT, SUBSISTENCE**

**Regulations as of 1984:**

- The Glennallen Subdistrict consists of all waters of the mainstem Copper River from the confluence of the Slana River downstream to the downstream edge of the Chitina-McCarthy Road Bridge.
- Salmon may be taken from June 1 to Sept.30.
- When the Copper River subsistence fishery is closed or restricted because of an inadequate escapement of sockeye and king salmon, the fishery may be reopened Sept.1 for the taking of coho salmon.
- Salmon may only be taken by fish wheel or dip net.
- Only one type of gear may be specified on a permit.
- Only one subsistence fishing permit will be issued to each household per year.
- A household which has already been issued a Copper River subsistence permit may not be issued a Chitina Subdistrict personal use salmon fishing permit.
- Permits must be returned to the department no later than Oct.31 or a permit for the following year may be denied.
- Fish wheels may not be rented, leased, or otherwise used for personal gain. Fish wheels must be removed from the water at the end of the permit period.
- Each permittee may operate only one fish wheel at any one time.
- No person may set or operate a fish wheel within 75 feet of another fish wheel.

- No fish wheel may have more than 2 baskets. The permit holder must personally operate the fish wheel or dip net.
- A wood or metal plate at least 12 inches high by 12 inches wide bearing the permit holder's name and address in letters and numerals at least one inch high must be attached to each fish wheel.
- The total annual possession limits are 30 salmon for a household of one, 60 for a household of two persons, and 10 salmon for each additional member of the household. Upon request, permits will be issued for additional salmon of up to 200 salmon for a household of one and up to 500 salmon for a household of two or more.
- Marking of subsistence salmon: dorsal fin must be immediately removed.
- Participation is limited to those persons domiciled in Game Management Units 11, 13-A, 13-B, 13-C, and 13-D, the Jacksina River drainage, and the communities of Tetlin, Northway, Dot Lake, Tanacross, and Tok.
- Management Plan: the department will manage the commercial fishery to attain a total escapement of 411,000 salmon.

**1986:**

- The Glennallen Subdistrict consists of waters of the mainstem Copper River from the mouth of the Slana River downstream to the downstream edge of the Chitina-McCarthy Road Bridge, excluding the area on the east side of the Copper River upstream of the upstream edge of the bridge to an ADFG marker located ¼ mile upstream of the bridge (excludes the personal use fish wheel area).

**1989:**

- Participation limitation revised to those persons domiciled in Game Management Units 11, 13-A, 13-B, 13-C, and 13-D, in Game Management Unit 12, except for that portion east of the Nabesna River and south of the winter trail running southeast from Pickerel Lake to the Canadian border, and in that road-connected portion of Game Management Unit 20-D from the Alaska Highway Milepost 1371.4 to Milepost 1347.

**1991:**

- The Glennallen Subdistrict now contains the area on the east side of the Copper River upstream of the Chitina-McCarthy Road Bridge (previously the personal use fish wheel area).
- Participation is opened to all Alaska residents.
- Limit of 5 king salmon when taken by dip net.
- Management plan escapement goal changed to 516,000 salmon.
- Rainbow trout and steelhead taken incidentally in other subsistence finfish net fisheries may be retained.

**1994:**

- Marking of subsistence salmon: both lobes of the caudal (tail) fin must be immediately removed.

**1997:**

- The owner of a fish wheel shall register that fish wheel with the department; the department shall issue a number for the fish wheel; that number and the owner's name and address must be permanently affixed and plainly visible on the fish wheel when the fish wheel is in the water.
- A fish wheel may be operated only by one permit holder at one time.
- Only the permit holder and the authorized members of the household listed on the permit may take salmon.
- A permit holder must record all salmon taken on the subsistence permit before the permit holder leaves the fishing site.

**2003:**

- Fish wheel identification regulations were modified to allow the fish wheel owner to put their name and address or their permanent identification number from a valid Alaska driver's license or a state identification card on the fish wheel on a wood, metal, or plastic plate that is at least 12 inches high by 12 inches wide in letters and numerals at least one inch high. Fish wheel operators (other than the owner) must still place their name and address when using the fish wheel.
- Glennallen Subdistrict subsistence permit holders must record all harvested fish and remove both tips of the tail immediately upon harvesting the fish. "Immediately" is defined as before concealing the salmon from plain view or transporting the salmon from the fishing site. "Fishing site" is defined as the location where the fish was removed from the water and became part of the permit holder's bag limit.

**2006:**

- Fish wheels must be checked and all fish removed at least once every 10 hours.
- The Amount Necessary for Subsistence (ANS) in the Glennallen Subdistrict was modified to measure subsistence harvests, particularly in the upper portion of the subdistrict. The Glennallen Subdistrict was divided into three components and the amounts of salmon that are reasonably necessary for subsistence uses were set at (based on reported harvest): 1) 25,500 to 39,000 salmon for that portion of the Glennallen Subdistrict from the Chitina-McCarthy Road Bridge to the Tonsina River; 2) 23,500 to 31,000 salmon for that portion of the Glennallen Subdistrict upstream of the Tonsina River to the Gakona River; and 3) 12,000 – 12,500 salmon for that portion of the Glennallen Subdistrict upstream of the mouth of the Gakona River to the Slana River and including the Batzulnetas fishery.

**PROPOSAL 3 - 5 AAC 01.625(b). Waters closed to subsistence fishing.**

Table 3-1.-Summary of sockeye salmon harvest from the Crosswind Lake Special Harvest Area, 2000-2008 ..... 8  
 Table 3-2.-Field studies conducted on burbot and lake trout in Crosswind Lake, 1960-2007 ..... 8  
 Table 3-3.-Sport harvest and catch from Crosswind Lake 1977-2007..... 9

**Table 3-1.-Summary of sockeye salmon harvest from the Crosswind Lake Special Harvest Area<sup>a</sup>, 2000-2008.**

Year	Permits Issued	Permitted Amount	Harvest
2000	5	50 - no limit	177
2001	3	100 - 200	150
2002	2	50 - no limit	146
2003	3	50 - 60	7
2004	1	50	0
2005	1	50	0
2006	1	50	0
2007	1	50	0
2008	0	-	-

<sup>a</sup> The Crosswind Special Harvest Area is located in Dog Creek downstream of Crosswind Lake.

**Table 3-2.-Field studies conducted on burbot and lake trout in Crosswind Lake, 1960-2007.**

Species	Assessment	Year	Data	Agency
Burbot	Abundance estimate	2006	3,860 burbot >450 mm SE 972	ADF&G
	Abundance estimate	2007	3,130 burbot >450 mm SE 584	ADF&G
Lake trout	Lake evaluation	1960	Species presence and length data (all species)	ADF&G
	Lake evaluation	1968	Species presence and length data (all species)	ADF&G
	Stock assessment	1989	Identified 3 spawning sites	ADF&G
	Radiotelemetry	2007	Identified 7 spawning sites	ADF&G

Table 3-3.-Sport harvest and catch from Crosswind Lake 1977-2007<sup>a</sup>.

Year	Burbot		Sockeye salmon		Lake trout		Arctic grayling		Whitefish	
	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch
1977	291		0		252		405		351	
1978	868		0		714		651		2,004	
1979	100		0		609		400		36	
1980	646		0		895		973		198	
1981	367		0		540		518		162	
1982	262		0		734		293		126	
1983	178		0		388		682		105	
1984	0		0		188		188		34	
1985	665		0		832		208		280	
1986	48		0		137		331		16	
1987	327		0		401		758		89	
1988	364		0		382		291		127	
1989	19		0		272		75		94	
1990	340	340	0	0	306	1,307	153	679	374	509
1991	271	361	0	0	463	1,150	659	1,012	170	170
1992	152	414	8	238	378	1,411	165	391	46	92
1993	225	332	0	10	311	1,306	215	1,568	78	349
1994	317	398	9	47	429	2,044	514	616	0	7
1995	271	581	0	0	94	956	87	148	0	0
1996	86	102	376	385	339	1,230	102	1,380	128	192
1997	174	174	21	21	96	451	202	657	0	0
1998	139	259	0	36	238	1,540	279	1,157	38	94
1999	503	845	35	176	525	2,598	414	1,844	8	8
2000	539	890	0	0	297	910	138	157	0	0
2001	173	209	12	167	44	594	80	321	0	26
2002	578	608	14	14	299	975	146	662	30	51
2003	470	697	0	0	403	1,438	160	882	137	167
2004	336	402	76	163	105	861	134	314	89	157
2005	859	1,207	100	100	519	2,256	391	402	195	195
2006	229	280	0	0	191	483	304	484	176	176
2007	55	145	0	177	97	1,211	53	53	0	0
Average 2002-2006	494	639	38	55	303	1,203	227	549	125	149
Average 1997-2006	400	557	26	68	272	1,211	225	688	67	87

<sup>a</sup> Data are from the Statewide Harvest Survey

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**PROPOSAL 13 - 5 AAC 01.620. Lawful gear and gear specifications.**

Figure 13-1.-Map of the Copper River demarcating the average percent of all registered fishwheels by location in the Glennallen Subdistrict from 2004-2008 ..... 11

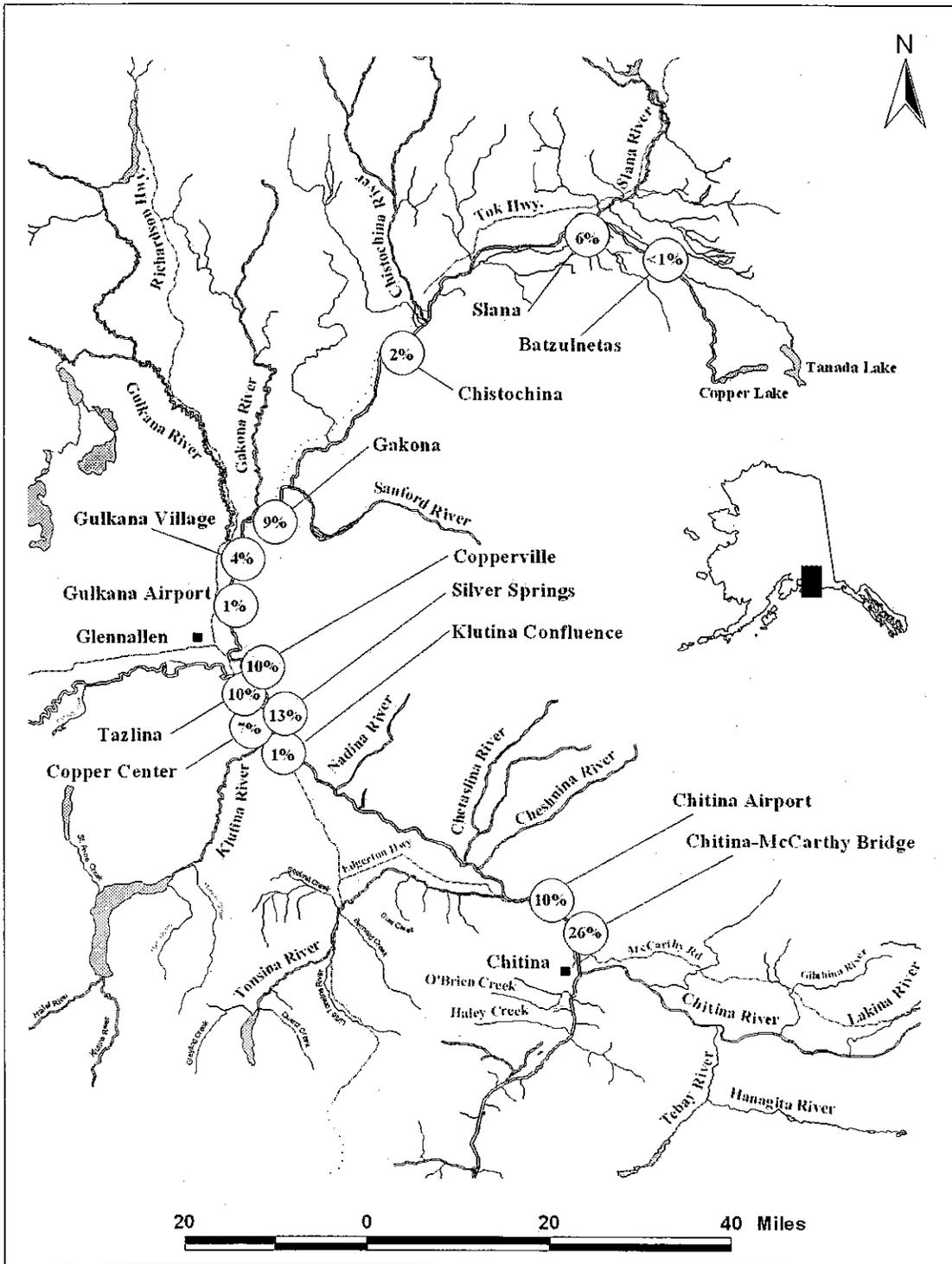


Figure 13-1.-Map of the Copper River demarcating the average percent of all registered fishwheels by location in the Glennallen Subdistrict from 2004-2008.

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**PROPOSAL 14 - 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.**

Table 14-1.-Glennallen Subdistrict state subsistence fishery participation and reported harvest by gear, 1988 - 2008 ..... 13

Figure 14-1.-Map of the Copper River demarcating the average percent of all registered dip net permits by location in the Glennallen Subdistrict from 2003-2007 ..... 14

**Table 14-1.-Glennallen Subdistrict state subsistence fishery participation and reported harvest by gear, 1988 - 2008.**

Year	Dip Net Permits	% Total Permits	Dip Net Harvest	% Total Harvest	Fish Wheel Permits	% Total Permits	Fish Wheel Harvest	% Total Harvest
1988	70	17%	1,922	9%	339	83%	19,422	91%
1989	78	20%	2,238	8%	308	80%	25,407	92%
1990	95	23%	2,759	9%	311	77%	28,347	91%
1991	293	41%	6,127	16%	418	59%	31,592	84%
1992	151	23%	4,250	10%	504	77%	40,137	90%
1993	193	25%	4,977	10%	579	75%	44,983	90%
1994	267	28%	6,149	10%	703	72%	58,450	90%
1995	191	22%	3,623	7%	667	78%	47,668	93%
1996	219	26%	5,757	11%	631	74%	44,900	89%
1997	286	25%	8,418	10%	847	75%	72,498	90%
1998	272	27%	7,944	13%	738	73%	55,582	87%
1999	336	31%	9,365	13%	765	69%	65,209	87%
2000	464	37%	8,983	14%	787	63%	54,551	86%
2001	407	33%	8,774	11%	832	67%	74,024	89%
2002	469	42%	7,406	14%	652	58%	44,434	86%
2003	399	39%	6,508	14%	613	61%	40,546	86%
2004	330	35%	5,200	9%	626	65%	50,637	91%
2005	363	38%	6,569	10%	598	62%	56,574	90%
2006	338	34%	6,519	12%	646	66%	48,894	88%
2007	467	40%	8,615	13%	707	60%	56,199	87%
2008 <sup>a</sup>	536	45%	7,767	15%	650	55%	42,724	85%
Average 2002-2006	380	38%	6,440	12%	627	62%	48,217	88%

<sup>a</sup> Data for 2008 are preliminary with 63.4% of permits reporting



**PROPOSAL 16 - 5 AAC 01.645. Subsistence bag, possession, and size limits.**

Table 16-1.-Number of Glennallen Subdistrict subsistence permits reporting harvests of greater than 50 salmon for a household size of 1 and greater than 100 salmon for a household size of 2 or more from 2003-2007. ....15

Table 16-2.-Estimated state harvest of salmon in the Copper River Glennallen Subdistrict Subsistence Fishery, 1990-2007. ....16

**Table 16-1.-Number of Glennallen Subdistrict subsistence permits reporting harvests of greater than 50 salmon for a household size of 1 and greater than 100 salmon for a household size of 2 or more from 2003-2007<sup>a</sup>.**

Year	Household of 1			Household of 2 or more		
	Total permits	Permits w/ harvest >50 fish	% of total permits harvesting > 50	Total permits	Permits w/ harvest >100 fish	% of total permits harvesting > 100
2003	101	36	36%	668	122	18%
2004	101	50	50%	623	163	26%
2005	97	37	38%	618	186	30%
2006	73	27	37%	666	173	26%
2007	98	43	44%	766	202	26%
Average	94	39	41%	668	169	25%

<sup>a</sup> Does not include permits issued but not fished.

Table 16-2.-Estimated state harvest of salmon in the Copper River Glennallen Subdistrict Subsistence Fishery, 1990-2007.

Year	Allocation	Permits Issued	King	Sockeye	Coho	Steelhead	Other	Total Harvest	Harvest Per Permit
1990	25,000	406	647	31,765	92	0	20	32,524	80
1991	20,000	712	1,328	39,599	232	2	44	41,205	58
1992	35,000	655	1,449	45,232	350	24	40	47,095	72
1993	35,000	773	1,434	53,252	77	9	83	54,855	71
1994	35,000	970	1,989	68,278	60	10	54	70,391	73
1995	35,000	858	1,892	52,516	882	18	15	55,323	64
1996	35,000	850	1,482	52,052	557	28	171	54,290	64
1997	60 - 75,000	1,133	2,583	82,807	187	105	61	85,743	76
1998	60 - 75,000	1,010	1,842	64,463	533	35	78	66,951	66
1999	60 - 75,000	1,101	3,141	76,215	1,132	40	315	80,843	73
2000	60 - 75,000	1,253	4,856	59,497	532	52	169	65,106	52
2001	60 - 75,000	1,239	3,553	83,787	1,154	65	19	88,578	71
2002	60 - 75,000	1,121	3,653	50,850	611	87	1	55,202	49
2003	60 - 75,000	1,012	2,538	47,007	619	48	0	50,212	50
2004	60 - 75,000	956	3,346	55,510	729	76	0	59,661	62
2005	60 - 75,000	961	2,229	64,213	224	19	41	66,726	69
2006	61 - 82,500	984	2,769	57,710	212	37	83	60,811	62
2007	61 - 82,500	1,174	3,276	65,714	238	0	56	69,284	59
Average 2002-2006		1,007	2,907	55,058	479	53	25	58,522	59
Average 1997-2006		1,077	3,051	64,206	593	56	77	67,983	63

**PROPOSAL 17 - 5 AAC 01.630. Subsistence fishing permits.**

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**Table 17-1.-Estimated Glennallen Subdistrict state subsistence fishery salmon harvests, 1990 - 2007.**

Year	Permits Issued	Total Harvest	Harvest Per Permit	In-River Return
1990	406	32,524	80	581,859
1991	712	41,205	58	579,412
1992	655	47,095	72	601,952
1993	773	54,854	71	833,387
1994	970	70,391	73	715,577
1995	858	55,323	64	599,265
1996	850	54,290	64	906,239
1997	1,133	85,744	76	1,148,079
1998	1,010	66,951	66	866,957
1999	1,101	80,488	73	850,951
2000	1,253	65,106	52	587,497
2001	1,239	87,602	71	833,569
2002	1,121	55,202	49	819,790
2003	1,012	50,212	50	691,652
2004	956	59,661	62	665,660
2005	961	66,726	69	830,768
2006	984	60,811	62	959,706
2007	1,174	69,284	59	926,438
Average 2002-2006	1,007	58,522	59	793,515
Average 1997-2006	1,077	67,850	63	825,463

**Table 17-2.-Number of Glennallen Subdistrict subsistence permits reporting harvests of greater than 30 salmon for a household size of one and greater than 60 salmon for a household size of two or more from 2003-2007<sup>a</sup>.**

Year	Household of 1			Household of 2 or more		
	Total permits	Permits w/ harvest > 30 fish	% of total permits harvesting > 30	Total permits	Permits w/ harvest >60 fish	% of total permits harvesting > 60
2003	101	51	50%	668	210	31%
2004	101	69	68%	623	275	44%
2005	97	52	54%	618	272	44%
2006	73	39	53%	666	286	43%
2007	98	56	57%	766	303	40%
Average	94	53	57%	668	269	40%

<sup>a</sup> Does not include permits issued but not fished.

**PROPOSAL 18, - 5 AAC 24.360. COPPER RIVER DISTRICT SALMON MANAGEMENT PLAN.**

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**5 AAC 24.360 Copper River District Management Plan.**

(a) The department shall manage the Copper River District commercial salmon fishery to achieve a sustainable escapement goal of 300,000 – 500,000 sockeye salmon into the Copper River.

(b) The department shall manage the Copper River District commercial salmon fishery to achieve an inriver goal of salmon, as measured at the sonar counter near Miles Lake, based on the total of the following categories:

Spawning escapement	300,000 sockeye 17,500 other salmon
Glennallen Subdistrict subsistence fishery	61,000 – 82,500 salmon
Chitina Subdistrict personal use fishery	100,000 – 150,000 salmon
Sport fishery	15,000 salmon
Hatchery brood (sockeye salmon)	estimated annually
Hatchery surplus (sockeye salmon)	estimated annually
<b>TOTAL</b>	<b>announced annually</b>

(c) The department shall establish the subsistence component of the inriver goal within the range of 160,000 – 225,000 salmon to ensure subsistence harvest needs will be met.

(d) Repealed 3/30/2000.

History: In effect before 1988; am 4/30/91, Register 118; am 5/24/97, Register 142; am 1/22/98, Register 145; am 3/30/2000, Register 153; am 5/11/2003, Register 166; am 6/12/2003, Register 166; am 3/30/2006, Register 177; am 4/23/2006, Register 178.

Authority: AS 16.05.251; AS 16.05.258.

**5 AAC 24.361. Copper River King Salmon Management Plan.** (a) The department shall manage the Copper River commercial and sport fisheries to achieve a sustainable escapement goal of 24,000 or more for king salmon. For the purposes of managing these fisheries, the department shall consider the best available information regarding harvest, age composition, and escapement, including escapement information obtained from mark-recapture studies, aerial surveys, or by other means.

(b) In the commercial fishery, during the statistical weeks 20 and 21, the commissioner may open no more than one fishing period per statistical week within the inside closure area of the Copper River District described in 5 AAC 24.350(1)B).

(c) In the sport fishery,

- (1) in the upper Copper River drainage, the annual limit for king salmon 20 inches or greater in length is four fish;
- (2) if the commissioner determines additional conservation measures are necessary to achieve the escapement goals, the commissioner may, by emergency order, use the following management measures in the following priority order:
  - (A) reduce the annual limit for king salmon;
  - (B) modify other methods and means not specified in this paragraph;
  - (C) designate the fishery as a catch and release fishery only;
  - (D) close specific waters to sport fishing for king salmon.

History: Eff. 5/24/97, Register 142; am 3/30/2000, Register 153; am 5/14/2000, Register 154; am 5/11/2003, Register 166; am 3/30/2006, Register 177.

Authority: AS 16.05.060; AS 16.05.251.

**5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.**

(a) Salmon may be taken in the Chitina Subdistrict only under the authority of a Chitina Subdistrict personal use salmon fishing permit. Only one Chitina Subdistrict personal use salmon fishing permit may be issued to a household per calendar year. A household may not be issued both a Copper River subsistence salmon fishing permit and a Chitina Subdistrict personal use salmon fishing permit.

(b) Salmon may be taken from June 1 through September 30. The commissioner shall establish a preseason schedule, including fishing times, for the period June 1 through August 31 based on daily projected sonar counts at the sonar counter located near Miles Lake. This abundance-based preseason schedule will distribute the harvest throughout the season. The commissioner may close, by an emergency order effective June 1, the Chitina Subdistrict personal use salmon fishing season and shall reopen the season, by emergency order, on or before June 11 depending on the run strength and timing of the sockeye salmon run. Adjustments shall be made to the preseason schedule based on actual sonar counts compared to projected counts. If the actual sonar count at Miles Lake is more than the projected sonar count, the commissioner shall close, by emergency order, the season and immediately reopen it during which additional fishing times will be

allowed. If the actual sonar count at Miles Lake is less than the projected sonar count, the commissioner shall close, by emergency order, the season and immediately reopen it during which fishing times will be reduced by a corresponding amount of time.

(c) Salmon may be taken only with dip nets.

(d) A personal use salmon fishing permit holder shall record all harvested salmon on the permit, in ink, before concealing the salmon from plain view or transporting the salmon from the fishing site. Permits must be returned to the department and the conditions specified in 5 AAC 77.015(c) must be met. For the purposes of this subsection, "fishing site" means the location where the salmon is removed from the water and becomes part of the permit holder's bag limit.

(e) The annual limit for a personal use salmon fishing permit is 15 salmon for a household of one person and 30 salmon for a household of two or more persons, of which no more than one may be a king salmon. However, when the department determines that a weekly harvestable surplus of 50,000 or more salmon will be present in the Chitina Subdistrict, the commissioner shall establish, by emergency order, weekly periods during which the department shall issue a supplemental permit for 10 additional sockeye salmon to a permit applicant who has met the annual limit. King salmon may not be taken under the authority of a supplemental permit. A supplemental permit will be valid from Monday to the following Sunday of the week in which the surplus salmon are expected to be present in the Chitina Subdistrict. The department may specify other conditions in a supplemental permit. The department may issue an additional supplemental permit to a permittee who has met the limits of a previously issued supplemental permit.

(f) The maximum harvest level for the Chitina Subdistrict personal use salmon fishery is 100,000 - 150,000 salmon, not including any salmon in excess of the inriver goal or salmon taken after August 31. If the Copper River District commercial salmon fishery is closed for 13 or more consecutive days, the maximum harvest level in the Chitina Subdistrict is reduced to 50,000 salmon.

(g) Rainbow or steelhead trout incidentally taken may not be retained and must be released immediately and returned to the water unharmed.

(h) For the purposes of this section, the Chitina Subdistrict consists of all waters of the mainstem Copper River from the downstream edge of the Chitina-McCarthy Road Bridge downstream to an east-west line crossing the Copper River as designated by ADF&G regulatory markers located approximately 200 yards upstream of Haley Creek.

History: Eff. 6/12/2003, Register 166.

Authority: AS 16.05.060; AS 16.05.251.

**5 AAC 01.647. Copper River Subsistence Salmon Fisheries Management Plans.**

(a) The purpose of this plan is to ensure that adequate escapement of salmon in the Copper River system occurs and that subsistence uses, as described under AS 16.05.251 and 5 AAC 99.010, are accommodated.

(b) The following are directives pertaining to the management of Copper River System salmon:

(1) this policy governs only those salmon which pass the department sonar counters located at the Million Dollar Bridge;

(2) the department shall manage the Copper River commercial salmon fishery to attain a total escapement of salmon into the Copper River as specified in 5 AAC 24.360 to ensure that an adequate escapement reaches the spawning grounds and to provide for hatchery broodstock and for subsistence and sport fisheries;

(3) repealed 4/28/84;

(4) repealed 4/28/84.

(c) Repealed 4/28/84.

(d) Repealed 4/28/84.

(e) Repealed 4/28/84.

(f) Repealed 4/28/84.

(g) Repealed 4/28/84.

(h) Repealed 4/28/84.

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

(1) unless modified by this subsection, 5 AAC 01.001 - 5 AAC 01.040 and 5 AAC 01.600 - 5 AAC 01.645 apply to this fishery;

(2) salmon may be taken only under the authority of a Batzulnetas subsistence salmon fishing permit issued by the department;

(3) salmon may be taken only in those waters of the Copper River between ADF&G regulatory markers located near the mouth of Tanada Creek and approximately one-half mile downstream from that mouth and in Tanada Creek between ADF&G regulatory markers identifying the open waters of the creek;

(4) fish wheels and dip nets only may be used on the Copper River; dip nets and spears only may be used in Tanada Creek;

(5) salmon may be taken only from June 1 through September 1 or until the season is closed by emergency order; fishing periods are to be established by emergency order and are two days per week during the month of June and 3.5 days per week for the remainder of the season;

(6) king salmon taken must be released to the water unharmed; fish wheels must be equipped with a livebox or be monitored at all times;

(7) annual bag and possession limits are as specified in 5 AAC 01.630(e);

(8) the permit must be returned to the department's Glennallen office no later than September 30 of each year.

(j) Salmon may be taken for subsistence purposes in the waters of the Copper River District described in 5 AAC 24.200, only as follows:

- (1) salmon may be taken only with gillnets no longer than 50 fathoms;
- (2) salmon may be taken only from May 15 through September 30;
- (3) fishing periods are
  - (A) from May 15 until two days before the commercial opening of the Copper River District, seven days per week;
  - (B) during the commercial salmon fishing season, only during open commercial salmon fishing periods;
  - (C) from two days following the closure of the commercial salmon fishing season until September 30, seven days per week.

(k) Repealed 6/12/2003.

History: In effect before 1984; am 4/28/84, Register 90; am 6/2/88, Register 106; am 4/30/91, Register 118; readopt 5/15/93, Register 126; am 5/24/97, Register 142; am 5/31/97, Register 142; am 3/30/2000, Register 153; am 6/12/2003, Register 166; am 12/1/2004, Register 172.

Authority: AS 16.05.060; AS 16.05.251; AS 16.05.258.

**Editor's note:** At its February 23 - 27, 1993 meeting, the Board of Fisheries readopted 5 AAC 01.647 in its entirety without change, under ch.1, SSSLA 1992 (the 1992 subsistence law), which repealed and reenacted AS 16.05.258.

**Table 18-1.-Copper River sockeye salmon passage, spawning escapement, harvests and regulatory allocations for the upriver fisheries, 1990 - 2007.**

Year	Sonar Count (salmon)	Inriver Goal (salmon)	Inriver Surplus (salmon)	Sockeye Spawning Escapement <sup>b</sup>	Subsistence ANS	Subsistence Salmon Harvest <sup>c</sup>	Personal Use Allocation	Personal		
								Use Salmon Harvest <sup>d</sup>	Salmon Allocation	Sport Salmon Harvest <sup>d</sup>
1990	581,859	411,000	170,859	424,662	25,000	32,524	60,000	70,812	15,000	5,871
1991	579,412	516,000	63,412	393,312	20,000	41,205	60,000	85,059	15,000	10,464
1992	601,952	516,000	85,952	381,436	35,000	47,095	60,000	91,683	15,000	9,085
1993	833,387	516,000	317,387	645,515	35,000	54,854	60,000	97,767	15,000	13,754
1994	715,577	516,000	199,577	506,006	35,000	70,391	60,000	99,822	15,000	13,173
1995	599,265	560,000	39,265	431,029	35,000	55,323	60,000	88,617	15,000	12,937
1996	906,239	560,000	346,239	623,326	35,000	54,290	60,000	102,108	15,000	21,159
1997	1,148,079	592,000	556,079	838,805	60 - 75,000	85,744	100,000	154,349	15,000	20,735
1998	866,957	617,000	249,957	485,541	60 - 75,000	66,951	100,000	146,075	15,000	19,718
1999	850,951	750,000	100,951	458,427	60 - 75,000	82,119	100,000	149,779	15,000	17,867
2000 <sup>a</sup>	587,497	768,000	-180,503	300,134	60 - 75,000	65,106	100 - 150,000	108,099	15,000	18,216
2001	833,569	723,000	110,569	509,519	60 - 75,000	88,578	100 - 150,000	138,425	15,000	13,165
2002	819,790	652,000	167,790	584,423	60 - 75,000	63,859	100 - 150,000	90,850	15,000	13,243
2003	691,652	617,000	74,652	463,682	60 - 75,000	64,539	100 - 150,000	86,273	15,000	13,102
2004	665,660	552,000	113,660	454,132	60 - 75,000	78,267	100 - 150,000	114,416	15,000	10,030
2005	830,768	637,000	193,768	516,890	60 - 75,000	86,584	100 - 150,000	125,690	15,000	12,300
2006	959,706	637,000	322,706	605,874	61 - 82,500	77,895	100 - 150,000	130,515	15,000	17,776
2007	926,438	577,000	349,438	637,979	61 - 82,500	85,266	100 - 150,000	131,217	15,000	28,151
Average 2002-2006	793,515	619,000	174,515	525,000		74,229		109,549		13,290
Average 1997-2006	825,463	654,500	170,963	521,743		75,964		124,447		15,615

<sup>a</sup> Anticipated hatchery returns were not achieved in 2000, adding to the inriver shortfall.

<sup>b</sup> The Copper River sustainable escapement goal (SEG) for sockeye salmon is 300,000 - 500,000.

<sup>c</sup> Expanded state plus federal reported salmon harvests (king, sockeye, and coho salmon) since 2002, prior to 2002 all permits were issued by the state.

<sup>d</sup> Data from Statewide Harvest Survey for king, sockeye and coho salmon combined.

**Table 18-2.-Copper River king salmon inriver estimate, upriver harvests, spawning escapement and escapement goal.**

Year	Personal						Total			Escapement Goal
	Inriver Estimate	Sport Harvest	Use Harvest	Subsistence Harvest	Upriver harvest	Upriver Escapement	Upriver Escapement	Escapement Goal		
1999	32,090	6,742	3,141	5,913	15,796	16,294	28,000-55,000			
2000	38,047	5,531	4,856	3,168	13,555	24,492	28,000-55,000			
2001	39,778	4,904	3,553	3,113	11,570	28,208	28,000-55,000			
2002	32,873	5,098	4,217	2,056	11,371	21,502	28,000-55,000			
2003	44,764	5,717	3,092	1,921	10,730	34,034	24,000+			
2004	40,564	3,435	3,999	2,502	9,936	30,628	24,000+			
2005	30,333	4,093	2,568	2,065	8,726	21,607	24,000+			
2006	67,789	3,425	3,199	2,676	9,300	58,489	24,000+			
2007	46,349	5,123	3,872	2,720	11,715	34,634	24,000+			
Average 2000-2002	36,899	5,178	4,209	2,779	12,165	24,734				
Average 2003-2007	45,960	4,359	3,346	2,377	10,081	35,878				

**PROPOSAL 19 - 5 AAC 01.630. Subsistence fishing permits.**

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**CURRENT REGULATIONS:**

**5 AAC 24.360 Copper River District Management Plan.**

(a) The department shall manage the Copper River District commercial salmon fishery to achieve a sustainable escapement goal of 300,000 – 500,000 sockeye salmon into the Copper River.

(b) The department shall manage the Copper River District commercial salmon fishery to achieve an inriver goal of salmon, as measured at the sonar counter near Miles Lake, based on the total of the following categories:

Spawning escapement	300,000 sockeye 17,500 other salmon
Glennallen Subdistrict subsistence fishery	61,000 – 82,500 salmon
Chitina Subdistrict personal use fishery	100,000 – 150,000 salmon
Sport fishery	15,000 salmon
Hatchery brood (sockeye salmon)	estimated annually
Hatchery surplus (sockeye salmon)	estimated annually
TOTAL	announced annually

(c) The department shall establish the subsistence component of the inriver goal within the range of 160,000 – 225,000 salmon to ensure subsistence harvest needs will be met.

(d) Repealed 3/30/2000.

History: In effect before 1988; am 4/30/91, Register 118; am 5/24/97, Register 142; am 1/22/98, Register 145; am 3/30/2000, Register 153; am 5/11/2003, Register 166; am 6/12/2003, Register 166; am 3/30/2006, Register 177; am 4/23/2006, Register 178.

Authority: AS 16.05.251; AS 16.05.258.

**Table 19-1.-Glennallen Subdistrict harvest and regulatory allocation, Copper River salmon passage and escapement, 1990-2007.**

Year	Miles Lake Sonar Count	Inriver Goal (salmon)	Inriver Surplus (salmon)	Sockeye Spawning Escapement <sup>a</sup>	Subsistence ANS	Permits Issued <sup>b</sup>	Total Salmon Harvest <sup>c</sup>
1990	581,859	411,000	170,859	424,662	25,000	406	32,524
1991	579,412	516,000	63,412	393,312	20,000	712	41,205
1992	601,952	516,000	85,952	381,436	35,000	655	47,095
1993	833,387	516,000	317,387	645,515	35,000	773	54,854
1994	715,577	516,000	199,577	506,006	35,000	970	70,391
1995	599,265	560,000	39,265	431,029	35,000	858	55,323
1996	906,239	560,000	346,239	623,326	35,000	850	54,290
1997	1,148,079	592,000	556,079	838,805	60 - 75,000	1,133	85,744
1998	866,957	617,000	249,957	485,541	60 - 75,000	1,010	66,951
1999	850,951	750,000	100,951	458,427	60 - 75,000	1,101	82,119
2000	587,497	768,000	-180,503	300,134	60 - 75,000	1,253	65,106
2001	833,569	723,000	110,569	509,519	60 - 75,000	1,239	88,578
2002	819,790	652,000	167,790	584,423	60 - 75,000	1,322	63,859
2003	691,652	617,000	74,652	463,682	60 - 75,000	1,233	64,539
2004	665,660	552,000	113,660	454,132	60 - 75,000	1,218	78,267
2005	830,768	637,000	193,768	516,890	60 - 75,000	1,236	86,584
2006	959,706	637,000	322,706	605,874	61 - 82,500	1,254	77,895
2007	926,438	577,000	349,438	637,979	61 - 82,500	1,466	85,266
Average 2002-2006	793,515	619,000	174,515	525,000		1,253	74,229
Average 1997-2006	825,463	654,500	170,963	521,743		1,200	75,964

<sup>a</sup> Total sonar count minus subsistence, personal use, and sport harvests.

<sup>b</sup> Includes state and federal permits since 2002, prior to 2002 all permits were issued by the state.

<sup>c</sup> State expanded harvest and federal reported harvest.

**Table 19-2.-Glennallen Subdistrict state subsistence permits by community of residence, 2003-2007.**

City	2003	2004	2005	2006	2007	Average
Anchor Point	0	2	2	2	2	2
Anchorage	306	259	278	265	315	285
Anderson	1		2	1	1	1
Barrow	2	2	2	3	2	2
Big Lake	5	4	4	5	3	4
Cantwell	1	1	2	1	1	1
Central	1	0	1	1	0	1
Chickaloon	2	1	1	2	0	1
Chitina	14	7	11	9	10	10
Chugiak	25	20	17	17	21	20
Clear	0	2	1	1	1	1
Cooper Landing	1	1	1	1	1	1
Copper Center	59	50	57	56	56	56
Cordova	1	1	1	1	0	1
Delta Junction	21	22	24	18	17	20
Denali Park	1	0	0	1	0	0
Dot Lake	4	1	1	0	0	1
Eagle River	50	54	67	51	50	54
Eielson AFB	6	1	3	1	2	3
Eklutna	1	0	0	0	0	0
Elmendorf AFB	0	0	0	1	0	0
Ester	2	3	3	3	6	3
Fairbanks	113	91	101	87	136	106
Fredericksburgh	0	0	0	1	0	0
Ft Greely	0	0	0	2	2	1
Ft Richardson	0	2	0	0	1	1
Ft Wainwright	1	0	0	4	6	2
Gakona	15	19	23	21	20	20
Girdwood	12	13	9	3	5	8
Glennallen	88	88	85	92	109	92
Healy	4	1	1	1	2	2
Homer	2	1	1	1	2	1
Hope	0	0	0	1	0	0
Houston	1	3	0	3	1	2
Jewel Lake	1	1	1	0	1	1
Juneau	1	00	1	2	0	1
Kasilof	0	1	0	0	1	0
Kenai	1	0	0	0	0	0
Kenny Lake	0	1	0	0	0	0
Knik	0	0	1	0	0	0
Kodiak	1	0	0	0	0	0
Meiers Lake	0	0	1	1	0	0
Nenana	1	2	2	2	2	2
Ninilchik	0	0	0	0	3	1
Nome	1	0	0	0	0	0
North Pole	32	37	45	50	58	44
Northway	3	5	1	1	1	2

**Table 19-2.-Continued.**

City	2003	2004	2005	2006	2007	Average
Palmer	54	66	55	73	97	69
Paxson	2	2	2	1	1	2
Red Devil	1	0	0	0	0	0
Ruby	0	1	1	0	0	0
Salcha	6	6	7	6	5	6
Sand Lake	0	0	0	0	1	0
Seward	0	0	0	0	1	0
Slana	1	2	1	1	1	1
Soldotna	2	0	0	0	1	1
Sterling	1	0	1	1	1	1
Sutton	4	2	2	1	3	2
Talkeetna	1	0	1	1	0	1
Tanacross	0	1	1	0	0	0
Tok	40	53	1	0	1	19
Two Rivers	1	0	0	1	1	1
Valdez	31	42	33	56	66	46
Viloniz	1	0	0	0	0	0
Wasilla	84	83	104	129	153	111
Willow	3	2	1	2	3	2
Wrangell	0	0	1	0	0	0
Grand Total	1,012	956	961	984	1,174	1,017

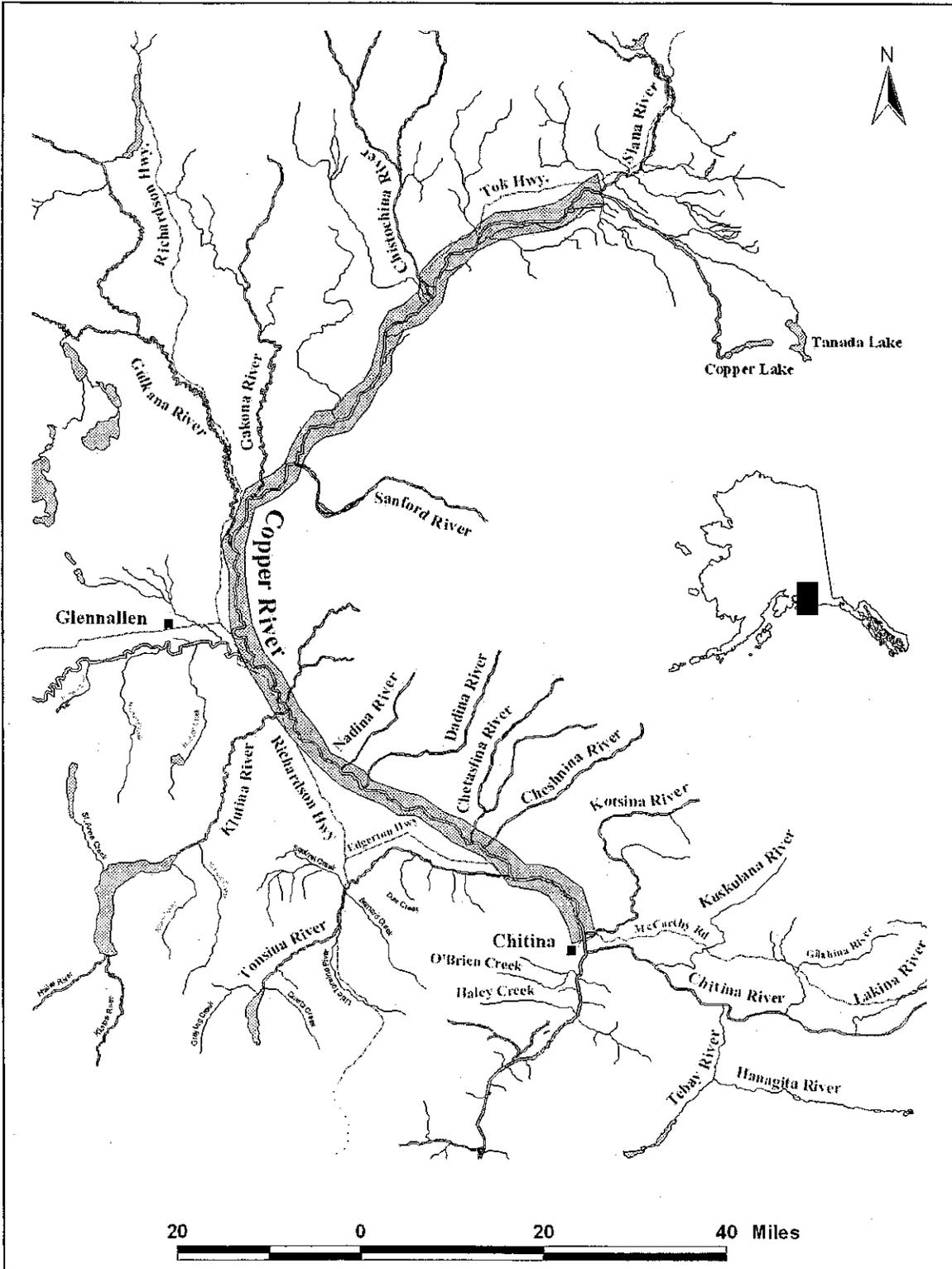


Figure 19-1.- Map of the Copper River demarcating the Glennallen Subdistrict (GSD) Fishery (shaded area-excluding all tributary waters).

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**PROPOSAL 20 - 5 AAC 01.630. Subsistence fishing permits.**

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and escapement, 1990-2007.....31  
Table 20-2.-Glennallen Subdistrict state subsistence permits by community of residence,  
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**CURRENT REGULATIONS:**

**5 AAC 24.360 Copper River District Management Plan.**

(a) The department shall manage the Copper River District commercial salmon fishery to achieve a sustainable escapement goal of 300,000 – 500,000 sockeye salmon into the Copper River.

(b) The department shall manage the Copper River District commercial salmon fishery to achieve an inriver goal of salmon, as measured at the sonar counter near Miles Lake, based on the total of the following categories:

Spawning escapement	300,000 sockeye 17,500 other salmon
Glennallen Subdistrict subsistence fishery	61,000 – 82,500 salmon
Chitina Subdistrict personal use fishery	100,000 – 150,000 salmon
Sport fishery	15,000 salmon
Hatchery brood (sockeye salmon)	estimated annually
Hatchery surplus (sockeye salmon)	estimated annually
TOTAL	announced annually

(c) The department shall establish the subsistence component of the inriver goal within the range of 160,000 – 225,000 salmon to ensure subsistence harvest needs will be met.

(d) Repealed 3/30/2000.

History: In effect before 1988; am 4/30/91, Register 118; am 5/24/97, Register 142; am 1/22/98, Register 145; am 3/30/2000, Register 153; am 5/11/2003, Register 166; am 6/12/2003, Register 166; am 3/30/2006, Register 177; am 4/23/2006, Register 178.

Authority: AS 16.05.251; AS 16.05.258.

**Table 20-1.-Glennallen Subdistrict harvest and regulatory allocation, Copper River salmon passage and escapement, 1990-2007.**

Year	Miles Lake Sonar Count	Inriver Goal (salmon)	Inriver Surplus (salmon)	Sockeye Spawning Escapement <sup>a</sup>	Subsistence ANS	Permits Issued <sup>b</sup>	Total Salmon Harvest <sup>c</sup>
1990	581,859	411,000	170,859	424,662	25,000	406	32,524
1991	579,412	516,000	63,412	393,312	20,000	712	41,205
1992	601,952	516,000	85,952	381,436	35,000	655	47,095
1993	833,387	516,000	317,387	645,515	35,000	773	54,854
1994	715,577	516,000	199,577	506,006	35,000	970	70,391
1995	599,265	560,000	39,265	431,029	35,000	858	55,323
1996	906,239	560,000	346,239	623,326	35,000	850	54,290
1997	1,148,079	592,000	556,079	838,805	60 - 75,000	1,133	85,744
1998	866,957	617,000	249,957	485,541	60 - 75,000	1,010	66,951
1999	850,951	750,000	100,951	458,427	60 - 75,000	1,101	82,119
2000	587,497	768,000	-180,503	300,134	60 - 75,000	1,253	65,106
2001	833,569	723,000	110,569	509,519	60 - 75,000	1,239	88,578
2002	819,790	652,000	167,790	584,423	60 - 75,000	1,322	63,859
2003	691,652	617,000	74,652	463,682	60 - 75,000	1,233	64,539
2004	665,660	552,000	113,660	454,132	60 - 75,000	1,218	78,267
2005	830,768	637,000	193,768	516,890	60 - 75,000	1,236	86,584
2006	959,706	637,000	322,706	605,874	61 - 82,500	1,254	77,895
2007	926,438	577,000	349,438	637,979	61 - 82,500	1,466	85,266
Average 2002-2006	793,515	619,000	174,515	525,000		1,253	74,229
Average 1997-2006	825,463	654,500	170,963	521,743		1,200	75,964

<sup>a</sup> Total sonar count minus subsistence, personal use, and sport harvests.

<sup>b</sup> Includes state and federal permits since 2002, prior to 2002 all permits were issued by the state.

<sup>c</sup> State expanded harvest and federal reported harvest.

**Table 20-2.-Glennallen Subdistrict state subsistence permits by community of residence, 2003-2007.**

City	2003	2004	2005	2006	2007	Average
Anchor Point	0	2	2	2	2	2
Anchorage	306	259	278	265	315	285
Anderson	1		2	1	1	1
Barrow	2	2	2	3	2	2
Big Lake	5	4	4	5	3	4
Cantwell	1	1	2	1	1	1
Central	1	0	1	1	0	1
Chickaloon	2	1	1	2	0	1
Chitina	14	7	11	9	10	10
Chugiak	25	20	17	17	21	20
Clear	0	2	1	1	1	1
Cooper Landing	1	1	1	1	1	1
Copper Center	59	50	57	56	56	56
Cordova	1	1	1	1	0	1
Delta Junction	21	22	24	18	17	20
Denali Park	1	0	0	1	0	0
Dot Lake	4	1	1	0	0	1
Eagle River	50	54	67	51	50	54
Eielson AFB	6	1	3	1	2	3
Eklutna	1	0	0	0	0	0
Elmendorf AFB	0	0	0	1	0	0
Ester	2	3	3	3	6	3
Fairbanks	113	91	101	87	136	106
Fredericksburgh	0	0	0	1	0	0
Ft Greely	0	0	0	2	2	1
Ft Richardson	0	2	0	0	1	1
Ft Wainwright	1	0	0	4	6	2
Gakona	15	19	23	21	20	20
Girdwood	12	13	9	3	5	8
Glennallen	88	88	85	92	109	92
Healy	4	1	1	1	2	2
Homer	2	1	1	1	2	1
Hope	0	0	0	1	0	0
Houston	1	3	0	3	1	2
Jewel Lake	1	1	1	0	1	1
Juneau	1	00	1	2	0	1
Kasilof	0	1	0	0	1	0
Kenai	1	0	0	0	0	0
Kenny Lake	0	1	0	0	0	0
Knik	0	0	1	0	0	0
Kodiak	1	0	0	0	0	0
Meiers Lake	0	0	1	1	0	0
Nenana	1	2	2	2	2	2
Ninilchik	0	0	0	0	3	1
Nome	1	0	0	0	0	0
North Pole	32	37	45	50	58	44
Northway	3	5	1	1	1	2

**Table 20-2.-Continued.**

City	2003	2004	2005	2006	2007	Average
Palmer	54	66	55	73	97	69
Paxson	2	2	2	1	1	2
Red Devil	1	0	0	0	0	0
Ruby	0	1	1	0	0	0
Salcha	6	6	7	6	5	6
Sand Lake	0	0	0	0	1	0
Seward	0	0	0	0	1	0
Slana	1	2	1	1	1	1
Soldotna	2	0	0	0	1	1
Sterling	1	0	1	1	1	1
Sutton	4	2	2	1	3	2
Talkeetna	1	0	1	1	0	1
Tanacross	0	1	1	0	0	0
Tok	40	53	1	0	1	19
Two Rivers	1	0	0	1	1	1
Valdez	31	42	33	56	66	46
Viloniz	1	0	0	0	0	0
Wasilla	84	83	104	129	153	111
Willow	3	2	1	2	3	2
Wrangell	0	0	1	0	0	0
<b>Grand Total</b>	<b>1,012</b>	<b>956</b>	<b>961</b>	<b>984</b>	<b>1,174</b>	<b>1,017</b>

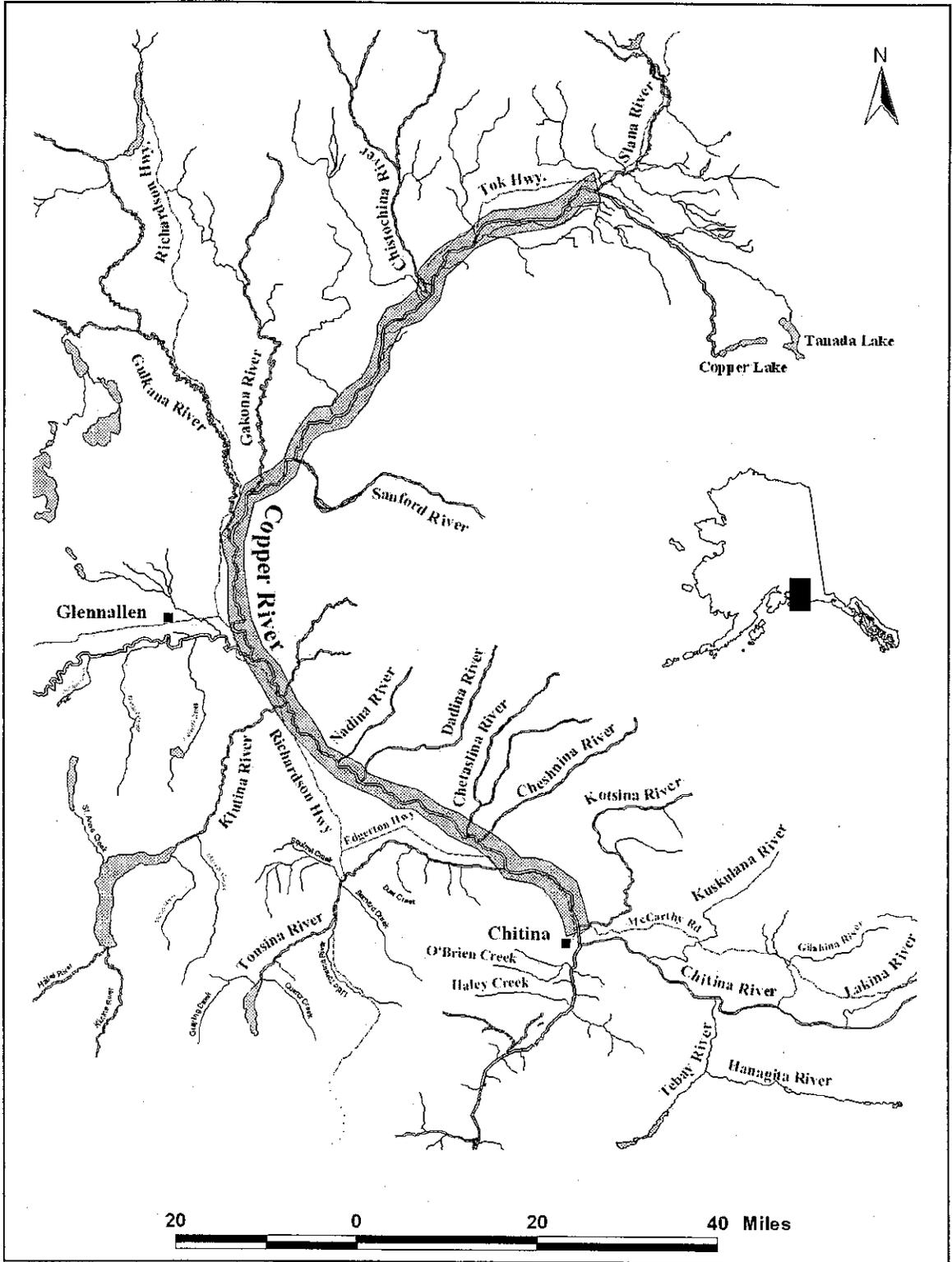


Figure 20-1.-Map of the Copper River demarcating the Glennallen Subdistrict (GSD) Fishery (shaded area-excluding all tributary waters).

**PROPOSAL 22 - 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.**

Table 22-1.-Chitina Subdistrict Personal Use Salmon Fishery Harvest, 1990 - 2007 ..... 36  
 Table 22-2.-Supplemental sockeye salmon harvest in the Chitina Subdistrict, 1998-2007 ..... 37  
 Table 22-3.-Number of Chitina Subdistrict personal use dip net permits by household size,  
 2003-2007<sup>a</sup> ..... 38

**Table 22-1.-Chitina Subdistrict Personal Use Salmon Fishery Harvest, 1990 – 2007<sup>a</sup>.**

Year	Permits Issued	King	Sockeye	Coho	Steelhead	Other	Total Harvest	Sockeye Harvest Per Permit
1990	5,689	2,708	66,432	1,511	24	137	70,812	12
1991	6,222	4,056	77,590	3,354	12	46	85,059	12
1992	6,385	3,405	86,724	1,517	31	5	91,683	14
1993	7,914	2,846	93,472	1,416	14	19	97,767	12
1994	7,061	3,743	94,024	1,981	36	39	99,822	13
1995	6,760	4,707	79,006	4,870	21	13	88,617	12
1996	7,198	3,584	95,007	3,381	90	46	102,108	13
1997	9,086	5,447	148,727	160	3	12	154,349	16
1998	10,006	6,723	137,161	2,145	0	46	146,075	14
1999	9,943	5,913	141,658	2,174	0	34	149,779	14
2000	8,151	3,168	107,856	3,657	0	203	108,099	13
2001	9,463	3,113	132,108	2,720	0	484	138,425	14
2002a	6,973	2,056	86,543	1,934	0	317	90,850	12
2003a	6,560	1,921	81,485	2,603	0	264	86,273	12
2004a	8,495	2,502	108,527	2,878	0	509	114,416	13
2005a	8,305	2,065	121,278	1,869	0	478	125,690	15
2006a	8,642	2,676	124,640	2,735	0	464	130,515	14
2007a	8,474	2,720	126,055	1,782	0	660	131,217	15
Average 2002-2006	7,795	2,244	104,495	2,404	0	406	109,549	13
Average 1997-2006	8,562	3,558	118,998	2,288	0	281	124,447	14

<sup>a</sup> Includes expanded state and reported federal harvest, prior to 2002 all permits were issued by the state.

**Table 22-2.-Supplemental sockeye salmon harvest in the Chitina Subdistrict, 1998-2007.**

Year	Permits			Number of periods	Harvest	Harvest per permit <sup>a</sup>
	Total	Supplemental	Percent of Total			
1998	10,006	151	2%	2	1,684	11
1999	9,943	97	1%	1	780	8
2000	8,151	193	2%	1	1,473	8
2001	9,463	267	3%	2	2,020	8
2002	6,973	315	4%	1	2,857	9
2003	6,560	n/a	n/a	0	n/a	n/a
2004	8,495	140	2%	1	1,237	9
2005	8,305	392	5%	2	3,476	9
2006	8,642	203	2%	1	1,708	8
2007	8,474	921	11%	4	9,070	10
Average 2003-2007	8,095	414	5%	2	3,873	9
Average 1998-2007	8,501	297	4%	2	2,701	9

<sup>a</sup> Permit holders can take 10 additional sockeye salmon during each supplemental period.

**Table 22-3.-Number of Chitina Subdistrict personal use dip net permits by household size, 2003-2007.**

Household Size	2003	2004	2005	2006	2007	Average
1	747	986	1,188	1,239	1,267	1,085
2	2,400	2,831	2,884	2,987	2,998	2,820
3	1,056	1,381	1,384	1,463	1,462	1,349
4	1,087	1,272	1,291	1,388	1,424	1,292
5	500	654	636	642	618	610
6	209	245	270	290	268	256
7	65	86	82	96	89	84
8	48	51	67	63	61	58
9	20	25	26	24	32	25
10	6	16	15	20	14	14
11	7	6	7	12	16	10
12	1	2	7	8	6	5
13	2	1	3	3	2	2
14	0	1	5	5	4	3
15	0	1	1	0	4	1
16	1	1	0	0	0	0
Blank	268	594	363	257	109	318
Average HH Size	3	3	3	3	3	3
Total	6,417	8,153	8,229	8,497	8,374	7,934

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**PROPOSAL 23 - 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.**

Copper River Personal Use Dip Net Salmon Fishery Management Plan.....39  
Table 23-1.-Comparison of current method to determine supplemental fishing periods in the Chitina Subdistrict personal use dip net fishery versus the method outlined in Proposal 23 .....41

**5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.**

(a) Salmon may be taken in the Chitina Subdistrict only under the authority of a Chitina Subdistrict personal use salmon fishing permit. Only one Chitina Subdistrict personal use salmon fishing permit may be issued to a household per calendar year. A household may not be issued both a Copper River subsistence salmon fishing permit and a Chitina Subdistrict personal use salmon fishing permit.

(b) Salmon may be taken from June 1 through September 30. The commissioner shall establish a preseason schedule, including fishing times, for the period June 1 through August 31 based on daily projected sonar counts at the sonar counter located near Miles Lake. This abundance-based preseason schedule will distribute the harvest throughout the season. The commissioner may close, by an emergency order effective June 1, the Chitina Subdistrict personal use salmon fishing season and shall reopen the season, by emergency order, on or before June 11 depending on the run strength and timing of the sockeye salmon run. Adjustments shall be made to the preseason schedule based on actual sonar counts compared to projected counts. If the actual sonar count at Miles Lake is more than the projected sonar count, the commissioner shall close, by emergency order, the season and immediately reopen it during which additional fishing times will be allowed. If the actual sonar count at Miles Lake is less than the projected sonar count, the commissioner shall close, by emergency order, the season and immediately reopen it during which fishing times will be reduced by a corresponding amount of time.

(c) Salmon may be taken only with dip nets.

(d) A personal use salmon fishing permit holder shall record all harvested salmon on the permit, in ink, before concealing the salmon from plain view or transporting the salmon from the fishing site. Permits must be returned to the department and the conditions specified in 5 AAC 77.015(c) must be met. For the purposes of this subsection, "fishing site" means the location where the salmon is removed from the water and becomes part of the permit holder's bag limit.

(e) The annual limit for a personal use salmon fishing permit is 15 salmon for a household of one person and 30 salmon for a household of two or more persons, of which no more than one may be a king salmon. However, when the department determines that a weekly harvestable surplus of 50,000 or more salmon will be present in the Chitina Subdistrict, the commissioner shall establish, by emergency order, weekly periods during

which the department shall issue a supplemental permit for 10 additional sockeye salmon to a permit applicant who has met the annual limit. King salmon may not be taken under the authority of a supplemental permit. A supplemental permit will be valid from Monday to the following Sunday of the week in which the surplus salmon are expected to be present in the Chitina Subdistrict. The department may specify other conditions in a supplemental permit. The department may issue an additional supplemental permit to a permittee who has met the limits of a previously issued supplemental permit.

(f) The maximum harvest level for the Chitina Subdistrict personal use salmon fishery is 100,000 - 150,000 salmon, not including any salmon in excess of the inriver goal or salmon taken after August 31. If the Copper River District commercial salmon fishery is closed for 13 or more consecutive days, the maximum harvest level in the Chitina Subdistrict is reduced to 50,000 salmon.

(g) Rainbow or steelhead trout incidentally taken may not be retained and must be released immediately and returned to the water unharmed.

(h) For the purposes of this section, the Chitina Subdistrict consists of all waters of the mainstem Copper River from the downstream edge of the Chitina-McCarthy Road Bridge downstream to an east-west line crossing the Copper River as designated by ADF&G regulatory markers located approximately 200 yards upstream of Haley Creek.

History: Eff. 6/12/2003, Register 166.

Authority: AS 16.05.060; AS 16.05.251.

Table 23-1.-Comparison of current method to determine supplemental fishing periods in the Chittina Subdistrict personal use dip net fishery versus the method outlined in Proposal 23.

Year	Number of Supplemental periods	Supplemental Period Dates	Average Harvest per period	Supplemental periods per Proposal 23	Supplemental Period Dates Per Proposal 23	Potential Harvest under Proposal 23
2003	0	None		0		
2004	1	June 7 - June 13	1,237	2	June 3 - June 9 June 10 - June 16	1,237 1,237
2005	2	June 6 - June 12 July 4 - July 10	1,738 1,738	4	June 1 - June 7 June 8 - June 14 July 4 - July 10 July 15 - July 21	1,738 1,738 1,738 1,738
2006	1	June 12 - June 18	1,708	3	June 9 - June 15 June 16 - June 22 June 28 - July 4	1,708 1,708 1,708
2007	4	June 11 - June 17 July 9 - July 15 July 16 - July 22 July 23 - July 29	2,268 2,268 2,268 2,268	4	June 10 - June 16 July 7 - July 13 July 14 - July 20 July 21 - July 27	2,268 2,268 2,268 2,268
2008 <sup>a</sup>	2	July 14 - July 20 July 21 - July 27		3	July 12 - July 18 July 19 - July 25 July 26 - August 1	
Total 2003-2007	8		15,491	13		23,622

<sup>a</sup> Harvest data for 2008 not available.

**PROPOSAL 24 - 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.**

Copper River Personal Use Dip Net Salmon Fishery Management Plan..... 42  
Table 24-1.-Chitina Subdistrict personal use fishery salmon harvests, supplemental periods, and commercial fishery closures, 1998 – 2008..... 44

**5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.**

(a) Salmon may be taken in the Chitina Subdistrict only under the authority of a Chitina Subdistrict personal use salmon fishing permit. Only one Chitina Subdistrict personal use salmon fishing permit may be issued to a household per calendar year. A household may not be issued both a Copper River subsistence salmon fishing permit and a Chitina Subdistrict personal use salmon fishing permit.

(b) Salmon may be taken from June 1 through September 30. The commissioner shall establish a preseason schedule, including fishing times, for the period June 1 through August 31 based on daily projected sonar counts at the sonar counter located near Miles Lake. This abundance-based preseason schedule will distribute the harvest throughout the season. The commissioner may close, by an emergency order effective June 1, the Chitina Subdistrict personal use salmon fishing season and shall reopen the season, by emergency order, on or before June 11 depending on the run strength and timing of the sockeye salmon run. Adjustments shall be made to the preseason schedule based on actual sonar counts compared to projected counts. If the actual sonar count at Miles Lake is more than the projected sonar count, the commissioner shall close, by emergency order, the season and immediately reopen it during which additional fishing times will be allowed. If the actual sonar count at Miles Lake is less than the projected sonar count, the commissioner shall close, by emergency order, the season and immediately reopen it during which fishing times will be reduced by a corresponding amount of time.

(c) Salmon may be taken only with dip nets.

(d) A personal use salmon fishing permit holder shall record all harvested salmon on the permit, in ink, before concealing the salmon from plain view or transporting the salmon from the fishing site. Permits must be returned to the department and the conditions specified in 5 AAC 77.015(c) must be met. For the purposes of this subsection, "fishing site" means the location where the salmon is removed from the water and becomes part of the permit holder's bag limit.

(e) The annual limit for a personal use salmon fishing permit is 15 salmon for a household of one person and 30 salmon for a household of two or more persons, of which no more than one may be a king salmon. However, when the department determines that a weekly harvestable surplus of 50,000 or more salmon will be present in the Chitina Subdistrict, the commissioner shall establish, by emergency order, weekly periods during which the department shall issue a supplemental permit for 10 additional sockeye salmon to a permit applicant who has met the annual limit. King salmon may not be taken under

the authority of a supplemental permit. A supplemental permit will be valid from Monday to the following Sunday of the week in which the surplus salmon are expected to be present in the Chitina Subdistrict. The department may specify other conditions in a supplemental permit. The department may issue an additional supplemental permit to a permittee who has met the limits of a previously issued supplemental permit.

(f) The maximum harvest level for the Chitina Subdistrict personal use salmon fishery is 100,000 - 150,000 salmon, not including any salmon in excess of the inriver goal or salmon taken after August 31. If the Copper River District commercial salmon fishery is closed for 13 or more consecutive days, the maximum harvest level in the Chitina Subdistrict is reduced to 50,000 salmon.

(g) Rainbow or steelhead trout incidentally taken may not be retained and must be released immediately and returned to the water unharmed.

(h) For the purposes of this section, the Chitina Subdistrict consists of all waters of the mainstem Copper River from the downstream edge of the Chitina-McCarthy Road Bridge downstream to an east-west line crossing the Copper River as designated by ADF&G regulatory markers located approximately 200 yards upstream of Haley Creek.

History: Eff. 6/12/2003, Register 166.

Authority: AS 16.05.060; AS 16.05.251.

**Table 24-1.-Chitina Subdistrict personal use fishery salmon harvests, supplemental periods, and commercial fishery closures, 1998 - 2008.**

Year	Permits Issued	Total Harvest	Harvest Per Permit	Supplemental Periods	Commercial Harvest <sup>a</sup>	Number of consecutive days closed <sup>d</sup>	Supplemental period after closure
1998	10,006	146,075	15	2	1,413,365	0	no
1999	9,943	149,779	15	1	1,747,344	7, 3	yes
2000 <sup>b</sup>	8,151	108,099	13	1	913,424	3, 15	yes
2001 <sup>b</sup>	9,463	138,425	15	2	1,366,149	0	no
2002 <sup>b</sup>	6,973	90,850	13	1	1,289,456	3, 16	yes
2003	6,560	86,273	13	0	1,240,961	0	no
2004	8,495	114,416	14	1	1,087,338	0	no
2005	8,305	125,690	16	2	1,369,061	0	no
2006	8,642	130,515	15	1	1,465,408	7	yes
2007	8,474	131,217	16	4	1,940,868	4	yes
2008 <sup>c</sup>	7,887	82,146	10	2	314,447	4, 4, 16	yes
Average 2003-2007	8,095	117,622	15	2	1,420,727	5	
Average 1998-2007	8,501	122,134	14	2	1,383,337	7	

<sup>a</sup> Includes sockeye and king harvest.

<sup>b</sup> From 2000 - 2002 the Chitina Subdistrict was classified as a subsistence fishery, section (f) was removed from the management plan during these years.

<sup>c</sup> Commercial harvest data are preliminary and CSD harvest data are based on 58.2% of permits.

<sup>d</sup> Count of days the commercial fishery was closed commenced on the day of a normally scheduled opening (ie. - Monday or Thursday) and ended the day prior to the next opening. If two openings occurred during a week, the fishery was not considered closed.

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**PROPOSAL 25 - 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan and 5 AAC 52.024. Harvest record required; annual limit.**

Table 25-1.-Harvest of king salmon from the Chitina Subdistrict personal use dipnet fishery and upper Copper River sport fisheries, 1990-2007. ....46

Table 25-2.-Average participation and king and sockeye harvest in the Chitina Subdistrict personal use fishery by regulatory week, 2003-2007.....47

Table 25-1.-Harvest of king salmon from the Chitina Subdistrict personal use dipnet fishery and upper Copper River sport fisheries, 1990-2007.  
Sport Fishery<sup>b</sup>

Year	Personal Use <sup>a</sup>			Annual Limit	Harvest	Angler Days	Annual Limit	Harvest	Pertinent Regulatory changes
	Permits	Annual Limit	Harvest						
1990	5,689	5	2,708	none	2,302	27,785	none		
1991	6,222	5	4,056	none	4,884	38,110	none		Select upper Copper River and Tonsina River tributaries closed to king salmon fishing.
1992	6,385	5	3,405	none	4,412	39,418	none		
1993	7,914	5	2,846	none	8,217	42,461	none		
1994	7,061	5	3,743	5	6,431	44,074	5		
1995	6,760	5	4,707	5	6,709	57,230	5		
1996	7,198	5	3,584	5	9,116	40,410	5		
1997	9,086	4	5,447	5	8,346	38,897	5		Guiding prohibited on Tuesdays Klutina, Tonsina, Tazlina, Chitina tribs closed Klutina season reduced by 10 days Bait restricted on Tonsina
1998	10,006	4	6,723	5	8,245	40,198	5		
1999	9,943	4	5,913	5	6,742	48,856	5		
2000	8,151	1	2,899	4	5,531	35,566	4		Tuesday guide restriction lifted
2001	9,463	1	3,113	4	4,904	30,110	4		
2002	6,851	1	2,023	4	5,098	29,604	4		
2003	6,440	1	1,903	4	5,717	29,933	4		
2004	8,386	1	2,495	4	3,435	31,302	4		
2005	8,230	1	2,043	4	4,093	26,745	4		
2006	8,566	1	2,663	4	3,425	25,912	4		
2007	8,377	1	2,694	4	5,123	37,291	4		
Average 2002-2006	7,695		2,225		4,354	28,699			
Average 1997-2006	8,512		3,522		5,554	33,712			

<sup>a</sup> Expanded state harvest data, does not include federal permits or harvest data.

<sup>b</sup> Data from statewide harvest survey. Daily bag and possession limit for king salmon has been 1 per day/1 in possession since 1970.

Table 25-2.-Average participation and king and sockeye harvest in the Chitina Subdistrict personal use fishery by regulatory week, 2003-2007.

Regulatory Week	Approximate dates	Days fished (effort)	Average Harvest	
			King salmon	Sockeye salmon
1	6/01 - 6/07	224	99	3,187
2	6/08 - 6/14	677	282	8,274
3	6/15 - 6/21	834	359	11,589
4	6/22 - 6/28	617	275	8,964
5	6/29 - 7/5	595	230	8,666
6	7/06 - 7/12	711	246	10,307
7	7/13 - 7/19	703	213	11,698
8	7/20 - 7/26	572	116	10,279
9	7/27 - 8/2	400	68	6,973
10	8/03 - 8/09	352	31	5,924
11	8/10 - 8/16	280	15	4,594
12	8/17 - 8/23	182	6	2,570
13	8/24 - 8/30	135	10	1,892
14	8/31 - 9/6	90	5	771
15	9/07 - 9/13	54	2	228
16	9/14 - 9/20	18	1	72
17	9/21 - 9/27	9	1	30
18	9/28 - 9/30	4	0	14

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**PROPOSAL 27 - 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.**

Figure 27-1.-Map of the Copper River demarcating the current Chitina Subdistrict (CSD) Fishery and the proposed extension to the CSD Fishery ..... 49

Table 27-1.-Estimates of the percent of king salmon spawning by major drainage from 1999-2004 ..... 50

Table 27-2.-Estimates of the percent of sockeye salmon spawning by major drainage from 2005-2008 ..... 50

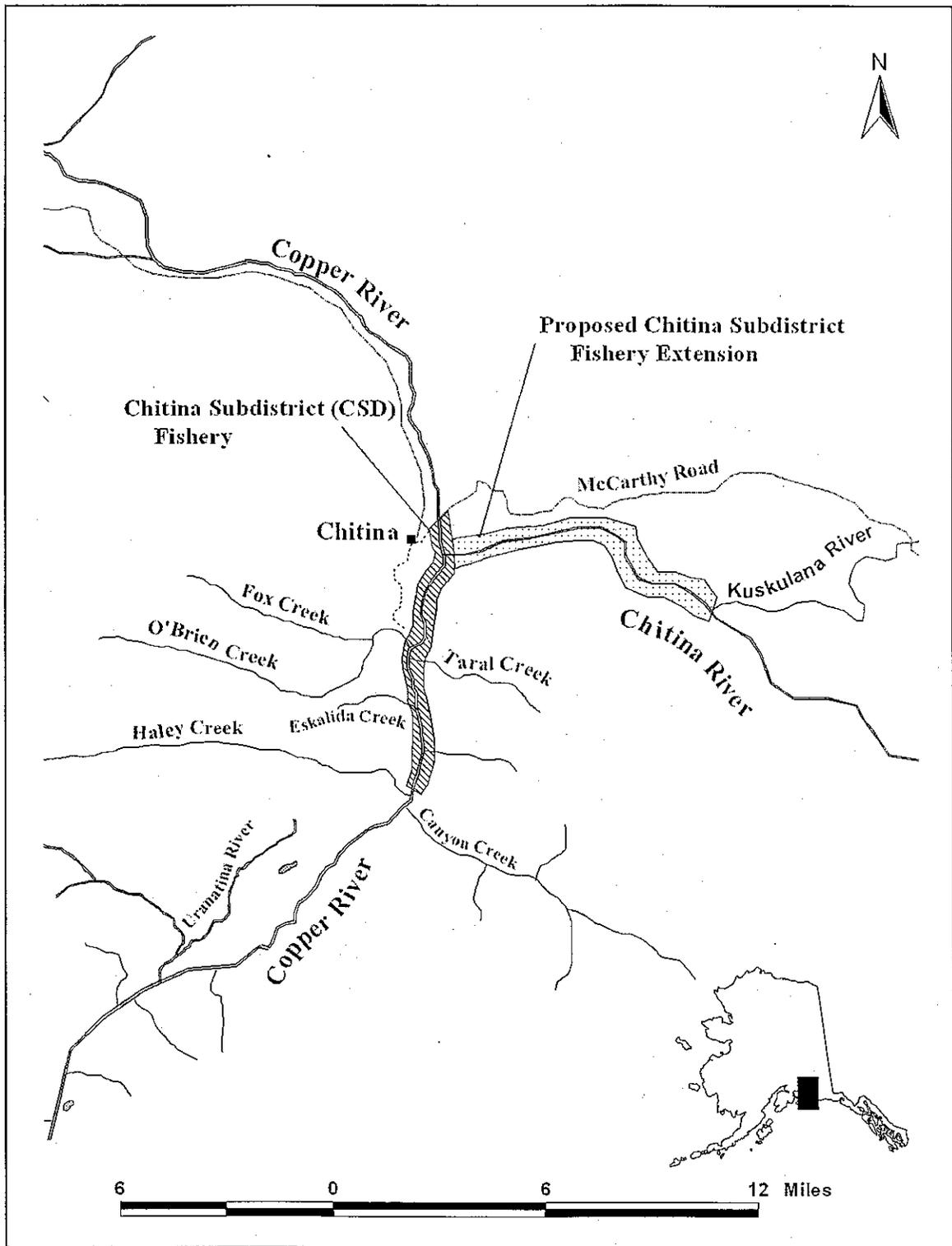


Figure 27-1.- Map of the Copper River demarcating the current Chitina Subdistrict (CSD) Fishery (shaded with lines) and the proposed extension to the CSD Fishery (shaded with dots).

**Table 27-1.-Estimates of the percent of king salmon spawning by major drainage from 1999-2004.**

	1999	2000	2001	2002	2003	2004
Upper Copper <sup>a</sup>	11%	12%	15%	22%	22%	25%
Gulkana River	12%	25%	18%	27%	17%	20%
Tazlina River	3%	3%	5%	4%	5%	2%
Klutina River	27%	27%	26%	10%	11%	12%
Tonsina River	24%	20%	21%	8%	10%	19%
Chitina River	22%	13%	14%	29%	34%	22%

<sup>a</sup> The Upper Copper drainage includes all tributaries upstream of the Gulkana River.

**Table 27-2.-Estimates of the percent of sockeye salmon spawning by major drainage from 2005-2008.**

	2005	2006	2007	2008
Upper Copper <sup>a</sup>	28%	9%	7%	10%
Gulkana River	7%	16%	9%	19%
Tazlina River	12%	11%	10%	19%
Klutina River	35%	45%	54%	34%
Tonsina River	5%	6%	5%	2%
Chitina River	5%	8%	5%	8%
Lower Copper <sup>b</sup>	7%	6%	9%	8%

<sup>a</sup> The Upper Copper drainage includes all tributaries upstream of the Gulkana River.

<sup>b</sup> The Lower Copper drainage includes all tributaries downstream from Haley Creek and upstream of Baird Canyon.

## UCUS SPORT FISHERY REGULATORY HISTORY KING SALMON

### AREA WIDE, KING SALMON

#### In effect prior to 1977:

- Bag and possession limit of one king salmon over 16 inches. Ten fish total bag and possession, any combination salmon under 16 inches, trout, grayling, and char.
- Season open entire year, unless specified.

#### 1983:

- Bag and possession limit of one king salmon 20 inches or more. Ten king salmon less than 20 inches bag and possession limit.
- The ten fish bag and possession limit of any combination salmon under 16 inches, trout, grayling, and char was changed to become ten king salmon under 20 inches in addition to ten other salmon under 16 inches.

#### 1987:

- King salmon landing requirement was established: king salmon 20 inches or more that are removed from water, must be retained as part of bag limit.

#### 1989:

- The blanket regulation for all flowing UCUSMA waters not specifically listed in regulations changed king salmon open season of entire year to be open season of January 1 through July 19. (Waters that are listed in special regulations that do not have the same dates as this blanket regulation include: Klutina River downstream of 19.2 mile which is open January 1 through August 10; Little Tonsina River, Mendeltna Creek, and Middle Fork Gulkana River which are closed.)

#### 1993:

- Statewide king salmon tag required.

#### 1994:

- Annual limit of king salmon, 20 inch or more, is 5 from UCUSMA.
- King salmon harvest record is required.
- Freshwater guiding requirements: A person engaged in freshwater sport fish guiding may not sport fish in the Copper River or its tributaries while a client is present or is within the guide's control or responsibility during the king salmon season (except while providing assistance to a client with a disability).

#### 1997:

- A sport fish guide may not operate in the flowing waters of the Copper River drainage open to king salmon fishing on Tuesdays from May 15 through July 31.

## **AREA WIDE, KING SALMON (continued)**

### **2000:**

- Sport fish guides may fish while guiding, but may not retain a king salmon.
- The Tuesday sport fish guiding restriction was lifted to allow guiding every day.
- Annual limit of king salmon was reduced from 5 to 4.
- Area-wide blanket regulation for flowing waters was established as only unbaited, single-hook artificial lure (exceptions that allow the use of bait include sections of the Gulkana, Klutina, and Tonsina rivers). (This area-wide regulation was established to protect rainbow trout/steelhead.)

### **2003:**

- Bait and multiple-hook lures are permitted in the mainstem Copper River upstream of Haley Creek.

### **2006:**

- The upper Susitna River drainage upstream of the Oshetna River drainage is closed to salmon fishing. This action was taken to protect the small stocks of salmon that may spawn in the Susitna River upstream of Devils Canyon.

## **GULKANA RIVER DRAINAGE, KING SALMON**

### **In effect prior to 1977:**

- A) Gulkana River and tributaries above confluence with Middle Fork: closed entire year to taking of salmon. The remainder of the drainage is open to sport fishing for salmon the entire year.
- B) Richardson Highway Bridge to mouth: designated fly-fishing-only, June 1 through July 31.

### **1979:**

- "A" above: "Gulkana River and tributaries above confluence with Middle Fork" changed to "Gulkana River and tributaries above confluence with Middle Fork including all lakes" closed entire year to sport fishing for salmon. The remainder of the drainage is open to sport fishing for king salmon the entire year.

### **1987:**

- Downstream of Middle Fork to the Pipeline crossing near Sourdough: open season changed from entire year to January 1 through July 19. Downstream of pipeline remained open to sport fishing for king salmon the entire year.

### **1989:**

- Richardson Highway Bridge to mouth: "fly-fishing-only" changed to "only single-hook, artificial flies" may be used from June 1 through July 31.

- Downstream of Pipeline: open to sport fishing for king salmon January 1 through July 31.

**1991:**

- Only unbaited, artificial lures may be used in all flowing waters of the Gulkana River drainage, upstream from an ADFG marker at an unnamed creek from the west, 7 ½ miles above the confluence of the West Fork.
- Gulkana River Drainage: all flowing waters downstream of Paxson Lake including the area 100 yards upstream from the narrows at the Paxson Lake outlet, downstream to the confluence with the Middle Fork is closed entire year to sport fishing for king salmon.

**1994:**

- All waters downstream of Middle Fork open to sport fishing for king salmon January 1 through July 19.

**1997:**

- Middle Fork from Dickey Lake to an ADFG marker about 3 miles downstream, and Hungry Hollow Creek: open season June 15 to April 14 (for all species, except closed to sport fishing for king salmon).
- All waters of the Middle Fork became open to sport fishing for king salmon January 1 through July 19 (exception above).

**GULKANA RIVER DRAINAGE, KING SALMON (continued)**

**2000:**

- Area-wide regulation for flowing waters was established as only unbaited, single-hook artificial lure for the entire year. The following portions of the Gulkana River are excluded from these regulations: the Gulkana River mainstem from the Richardson Highway Bridge downstream to an ADF&G marker about 500 yards downstream of its confluence with the Copper River is unbaited, single-hook artificial fly from June 1 – July 31; and in that portion of the Gulkana River mainstem upstream from the Richardson Highway Bridge to an ADF&G marker 7 ½ miles upstream of the West Fork confluence from June 1 – July 19, bait and artificial lures are permitted including treble hooks. (This area-wide regulation was established to protect rainbow trout/steelhead, but modifications allow for the king salmon fishery.)

**2003:**

- All waters of the Middle Fork are closed to sport fishing for king salmon.

## **KLUTINA RIVER DRAINAGE, KING SALMON**

### **In effect prior to 1977:**

- Klutina River from Klutina Lake to a marker one mile downstream: closed to the taking of salmon from July 15 through December 31 (open January 1 through July 14).
- The remainder of the Klutina River drainage is open to sport fishing for salmon the entire year.

### **1987:**

- Klutina River drainage upstream of ADFG marker located ¼ mile downstream of the confluence of Manker Creek: open to sport fishing for king salmon January 1 through July 14.

### **1989:**

- All flowing waters upstream of the ADFG marker located at Mile 19.2 on the Klutina Lake Road: open to sport fishing for king salmon January 1 through July 19.
- All flowing waters downstream of the Mile 19.2 marker: open to sport fishing for king salmon January 1 through Aug. 10.
- All lakes: open to sport fishing for king salmon January 1 through July 19.

### **1997:**

- Klutina Lake, all flowing waters entering Klutina Lake, and Manker Creek: closed to sport fishing for king salmon.
- All flowing waters downstream of the Mile 19.2 marker: open to sport fishing for king salmon January 1 through July 31.
- All other lakes: open to sport fishing for king salmon January 1 through July 19.

### **2000:**

- Area-wide regulation for flowing waters was established as only unbaited, single-hook artificial lure. The Klutina River drainage is excluded from this regulation. But in the Copper River outside of the markers at the Klutina River mouth markers, it became unbaited, single-hook artificial. (This area-wide regulation was established to protect rainbow trout/steelhead.)

### **2003:**

- Bait and multiple-hook lures are permitted in the mainstem Copper River upstream of Haley Creek.

## **TONSINA RIVER DRAINAGE, KING SALMON**

### **In effect prior to 1977:**

- Little Tonsina River: closed to sport fishing for king salmon.
- Remainder of flowing water and all lakes within the Tonsina River drainage open all year to sport fishing for king salmon.

### **1979:**

- The Little Tonsina River closure was modified to include all waters within ¼ mile radius of the confluence with the Tonsina River. The remainder of the Tonsina drainage remained open year-round to sport fishing for king salmon.

### **1989:**

- In the Tonsina River drainage (excluding the Little Tonsina River which remained closed) open to sport fishing for king salmon January 1 through July 19.

### **1997:**

- The waters of Tonsina Lake, all flowing waters entering Tonsina Lake, all tributaries of Tonsina River including all flowing waters within ¼ mile radius of confluences of both the Little Tonsina and Bernard creeks are closed to sport fishing for king salmon.
- Only unbaited, single-hook, artificial lures may be used in all waters of the Tonsina River.

### **1999:**

- In the flowing waters of the Tonsina River drainage, bait may be used with single-hook or a single-hook artificial lure with a gap of 3/8 inch or less.

### **2003:**

- Bait and artificial lures, including treble hooks may be used in the mainstem Tonsina River downstream of Tonsina Lake (the single-hook or a single-hook artificial lure with a 3/8 inch gap provision was removed).

### **2006:**

- The use bait and artificial lures, including treble hooks was extended to include the entire Tonsina River drainage downstream of Tonsina Lake.

## **SOCKEYE SALMON**

### **AREA WIDE, SOCKEYE SALMON**

#### **In effect prior to 1977:**

- Bag and possession limit of three salmon over 16 inches.
- Ten fish total bag or in possession, any combination salmon under 16 inches, trout, grayling, and char.
- Sport fishing for sockeye salmon open entire year, unless specified.

#### **1983:**

- The ten fish bag and possession limit of any combination salmon under 16 inches changed to become ten king salmon under 20 inches in addition to ten other salmon under 16 inches. (Bag and possession limit of other salmon over 16 inches remained three).

### **GULKANA RIVER DRAINAGE, SOCKEYE SALMON**

#### **In effect prior to 1977:**

- A). Gulkana and tributaries above confluence with Middle Fork: closed to sport fishing for salmon. Remainder of drainage sport fishing for salmon open the entire year.
- B). Richardson Highway Bridge to mouth: designated fly-fishing-only, June 1 to July 31.

#### **1979:**

- "A" above: "Gulkana River and tributaries above confluence with Middle Fork" changed to "Gulkana River and tributaries including all lakes".

#### **1989:**

- Paxson Lake (100 yards upstream of narrows to within a 100 yard radius of the mouth of East Fork of Gulkana) sport fishing for sockeye salmon open from July 20 through December 31.
- Sport fishing for sockeye salmon in Summit Lake open July 20 through December 31.
- Sport fishing for sockeye salmon in Gunn Creek open August 1 through December 31.

#### **1991:**

- All flowing waters downstream of Paxson Lake to the confluence with the Middle Fork sport fishing for sockeye salmon open from September 10 through December 31.
- Only unbaited, artificial lures may be used in all flowing waters of the Gulkana River drainage, upstream from a Department marker at an unnamed creek from the west, 7 ½ miles above the confluence of the West Fork.

## **GULKANA RIVER DRAINAGE, SOCKEYE SALMON (continued)**

### **1997:**

- Middle Fork from Dickey Lake to an ADFG marker about 3 miles downstream, and Hungry Hollow Creek: open to sport fishing June 15 to April 14 (for all species, except closed to sport fishing for king salmon). (This season was established to protect rainbow trout/steelhead.)

### **2000:**

- The flowing waters of the West Fork upstream of an ADFG marker located ½ mile upstream of the confluence with the mainstem, bag and possession limit of 6 sockeye from August 1 to December 31. Bag and possession limit of 3 sockeye salmon during the remainder of the year.

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**PROPOSAL 104 - 5 AAC 52.023. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.**

Table 104-1.-Number of radio-tagged king salmon located in areas with proposed closures from 1999-2004 ..... 59

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Figure 104-2.-Map of the Gakona River and Sinona Creek demarcating the areas closed to king salmon fishing, the proposed one quarter-mile closures around tributary confluences with the Gakona and Copper rivers, and the proposed Sinona Creek drainage closure..... 62

**Table 104-1.-Number of radio-tagged king salmon located in areas with proposed closures from 1999-2004. The percent of all tags found in spawning areas is found in parentheses.**

<b>Location</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
<b>Lakina River</b>	3 (0.8)	2 (0.6)	2 (0.7)	6 (2.0)	4 (1.3)	5 (1.7)
<b>Gilahina River</b>	4 (1.1)	6 (1.9)	7 (2.4)	10 (3.3)	2 (0.6)	4 (1.4)
<b>Slana Drainage</b>	4 (1.1)	4 (1.3)	5 (1.7)	6 (2.0)	2 (0.6)	3 (1.0)
<b>Indian Creek</b>	2 (0.5)	2 (0.6)	3 (1.0)	4 (1.3)	2 (0.6)	3 (1.0)
<b>Ahtell Creek</b>	2 (0.5)	0 (0)	1 (0.3)	0 (0)	0 (0)	1 (0.3)
<b>Sinona Creek</b>	2 (0.5)	3 (0.9)	2 (0.7)	2 (0.7)	2 (0.6)	0 (0)
<b>Gakona River Tributaries</b>	11 (3.1)	3 (0.9)	4 (1.4)	2 (0.7)	5 (1.6)	5 (1.7)
<b>Manker Creek</b>	13 (3.7)	8 (2.5)	7 (2.4)	10 (3.3)	6 (1.9)	7 (2.4)
<b>Total Tags in all Spawning Areas</b>	356	318	293	306	308	296

Table 104-2.-Sport catch and harvest of king salmon from smaller streams in the upper Copper River drainage 1983-2007.

Year	Ahtell Creek		Gakona River		Gilahina River		Indian Creek		Lakina River		Manker Creek		Sinona Creek		Slana River	
	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch
1983	0	n/a	0	n/a	0	n/a	10	n/a	0	n/a	42	n/a	0	n/a	0	n/a
1984	0	n/a	0	n/a	0	n/a	17	n/a	0	n/a	0	n/a	0	n/a	0	n/a
1985	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a
1986	0	n/a	0	n/a	0	n/a	32	n/a	0	n/a	0	n/a	0	n/a	0	n/a
1987	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a
1988	0	n/a	0	n/a	0	n/a	9	n/a	0	n/a	0	n/a	0	n/a	0	n/a
1989	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a
1990	0	0	0	0	0	0	17	17	0	0	0	0	0	0	0	0
1991 <sup>a</sup>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1992	0	0	0	0	0	0	0	0	0	0	0	0	0	0	18	18
1993	0	0	0	0	0	0	0	0	0	0	34	426	0	0	47	283
1994	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1995	0	0	0	0	0	0	0	0	0	0	19	94	0	0	0	0
1996	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1997 <sup>b</sup>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1998	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1999	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	178
2001	0	0	0	53	0	0	0	0	0	0	0	0	0	0	0	0
2002	0	0	0	0	0	0	0	0	0	0	0	0	0	0	13	13
2003	0	0	0	9	0	0	0	0	0	0	0	0	0	0	0	193
2004	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	116
2005	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2007	0	0	0	0	0	0	0	0	0	0	0	0	0	0	16	16

<sup>a</sup> Indian and Ahtell creeks closed to king salmon fishing

<sup>b</sup> Gilahina River, Manker Creek, and the clear water tributaries of the Gakona River closed to king salmon fishing

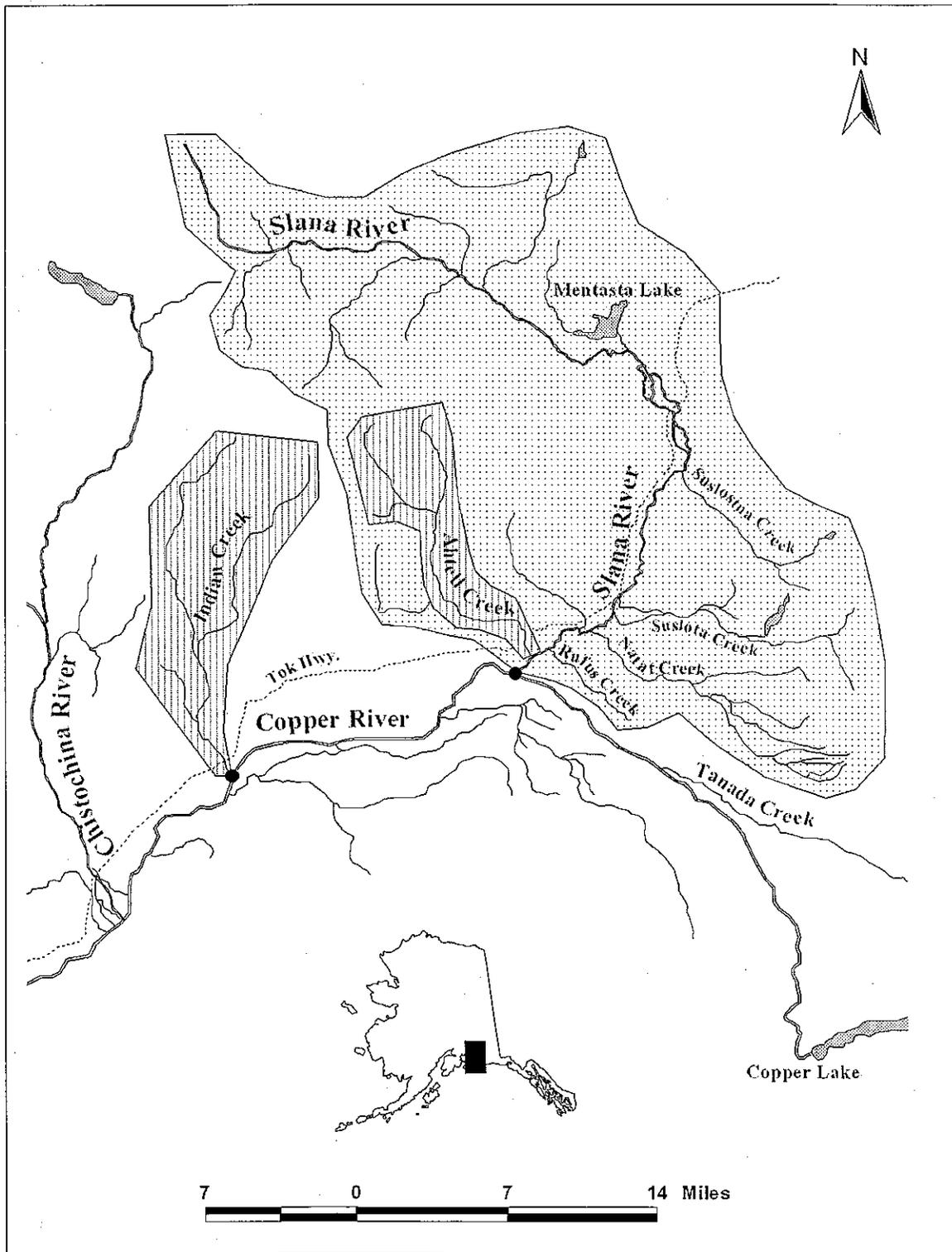


Figure 104-1.-Map of the Upper Copper River demarcating the areas closed to king salmon fishing (shaded with lines), the proposed one quarter-mile closures around tributary confluences with the Copper River (solid dots), and the proposed Slana River drainage closure (shaded with dots).

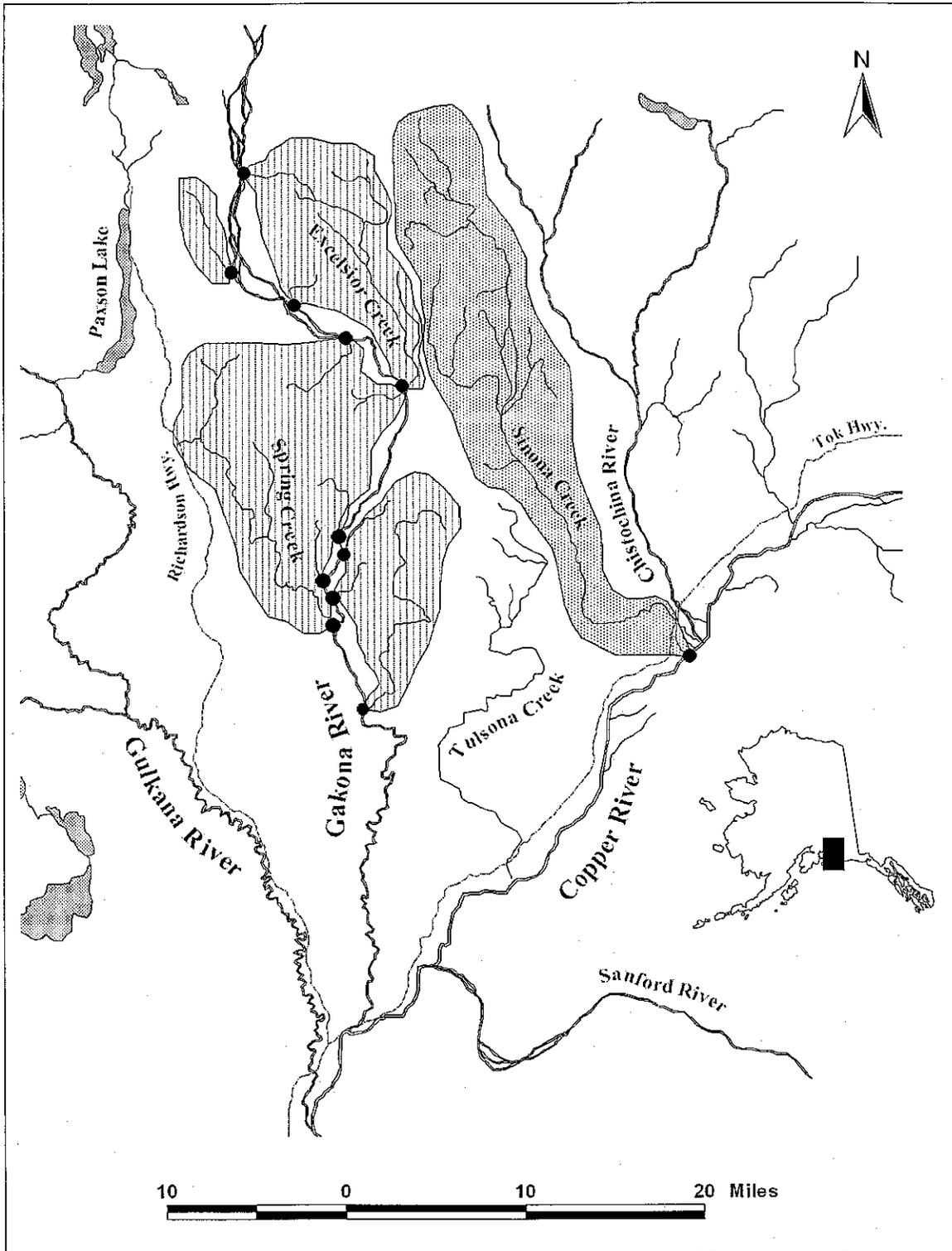


Figure 104-2.-Map of the Gakona River and Sinona Creek demarcating the areas closed to king salmon fishing (shaded with lines), the proposed one quarter-mile closures around tributary confluences with the Gakona and Copper rivers (solid dots), and the proposed Sinona Creek drainage closure (shaded with dots).

**PROPOSAL 105 - 5 AAC 52.023. Special provisions for the season, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.**

Table 105-1.-Number of radio-tagged king salmon located in areas with proposed closures from 1999-2004. .... 64

Table 105-2.-Sport catch and harvest of king salmon from smaller streams in the upper Copper River drainage 1983-2007. .... 65

Figure 105-1.-Map of the Upper Copper River demarcating the areas closed to king salmon fishing, the proposed one quarter-mile closures around tributary confluences with the Copper River, and the proposed Slana River drainage closure ..... 66

Figure 105-2.-Map of the Gakona River and Sinona Creek demarcating the areas closed to king salmon fishing, the proposed one quarter-mile closures around tributary confluences with the Gakona and Copper rivers, and the proposed Sinona Creek drainage closure ..... 67

Figure 105-3.-Map of the Klutina River demarcating the areas closed to king salmon fishing, the proposed one quarter-mile closure around Manker Creek , and the established and proposed regulatory markers ..... 68

**Table 105-1.-Number of radio-tagged king salmon located in areas with proposed closures from 1999-2004.  
The percent of all tags found in spawning areas is found in parentheses.**

<b>Location</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
<b>Lakina River</b>	3 (0.8)	2 (0.6)	2 (0.7)	6 (2.0)	4 (1.3)	5 (1.7)
<b>Gilahina River</b>	4 (1.1)	6 (1.9)	7 (2.4)	10 (3.3)	2 (0.6)	4 (1.4)
<b>Slana Drainage</b>	4 (1.1)	4 (1.3)	5 (1.7)	6 (2.0)	2 (0.6)	3 (1.0)
<b>Indian Creek</b>	2 (0.5)	2 (0.6)	3 (1.0)	4 (1.3)	2 (0.6)	3 (1.0)
<b>Ahtell Creek</b>	2 (0.5)	0 (0)	1 (0.3)	0 (0)	0 (0)	1 (0.3)
<b>Sinona Creek</b>	2 (0.5)	3 (0.9)	2 (0.7)	2 (0.7)	2 (0.6)	0 (0)
<b>Gakona River Tributaries</b>	11 (3.1)	3 (0.9)	4 (1.4)	2 (0.7)	5 (1.6)	5 (1.7)
<b>Manker Creek</b>	13 (3.7)	8 (2.5)	7 (2.4)	10 (3.3)	6 (1.9)	7 (2.4)
<b>Total Tags in all Spawning Areas</b>	356	318	293	306	308	296

Table 105-2.-Sport catch and harvest of king salmon from smaller streams in the upper Copper River drainage 1983-2007.

Year	Ahtell Creek		Gakona River		Gilahina River		Indian Creek		Lakina River		Manker Creek		Sinona Creek		Slana River	
	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch
1983	0	n/a	0	n/a	0	n/a	10	n/a	0	n/a	42	n/a	0	n/a	0	n/a
1984	0	n/a	0	n/a	0	n/a	17	n/a	0	n/a	0	n/a	0	n/a	0	n/a
1985	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a
1986	0	n/a	0	n/a	0	n/a	32	n/a	0	n/a	0	n/a	0	n/a	0	n/a
1987	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a
1988	0	n/a	0	n/a	0	n/a	9	n/a	0	n/a	0	n/a	0	n/a	0	n/a
1989	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a
1990	0	0	0	0	0	0	17	17	0	0	0	0	0	0	0	0
1991 <sup>a</sup>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1992	0	0	0	0	0	0	0	0	0	0	0	0	0	0	18	18
1993	0	0	0	0	0	0	0	0	0	0	34	426	0	0	47	283
1994	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1995	0	0	0	0	0	0	0	0	0	0	19	94	0	0	0	0
1996	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1997 <sup>b</sup>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1998	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1999	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	178
2001	0	0	0	53	0	0	0	0	0	0	0	0	0	0	0	0
2002	0	0	0	0	0	0	0	0	0	0	0	0	0	0	13	13
2003	0	0	0	9	0	0	0	0	0	0	0	0	0	0	0	193
2004	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	116
2005	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2007	0	0	0	0	0	0	0	0	0	0	0	0	0	0	16	16

<sup>a</sup> Indian and Ahtell creeks closed to king salmon fishing

<sup>b</sup> Gilahina River, Manker Creek, and the clear water tributaries of the Gakona River closed to king salmon fishing

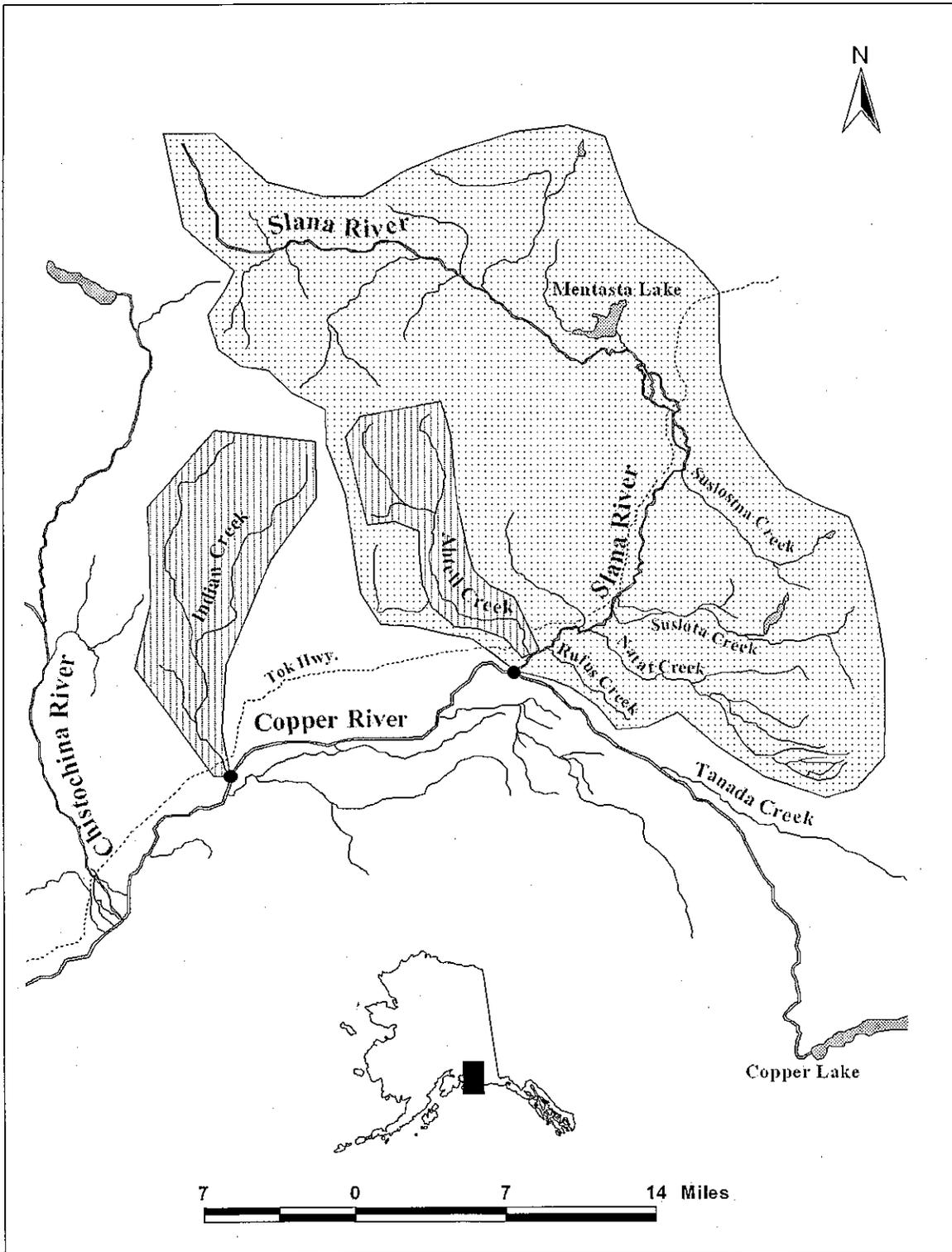


Figure 105-1.-Map of the Upper Copper River demarcating the areas closed to king salmon fishing (shaded with lines), the proposed one quarter-mile closures around tributary confluences with the Copper River (solid dots), and the proposed Slana River drainage closure (shaded with dots).

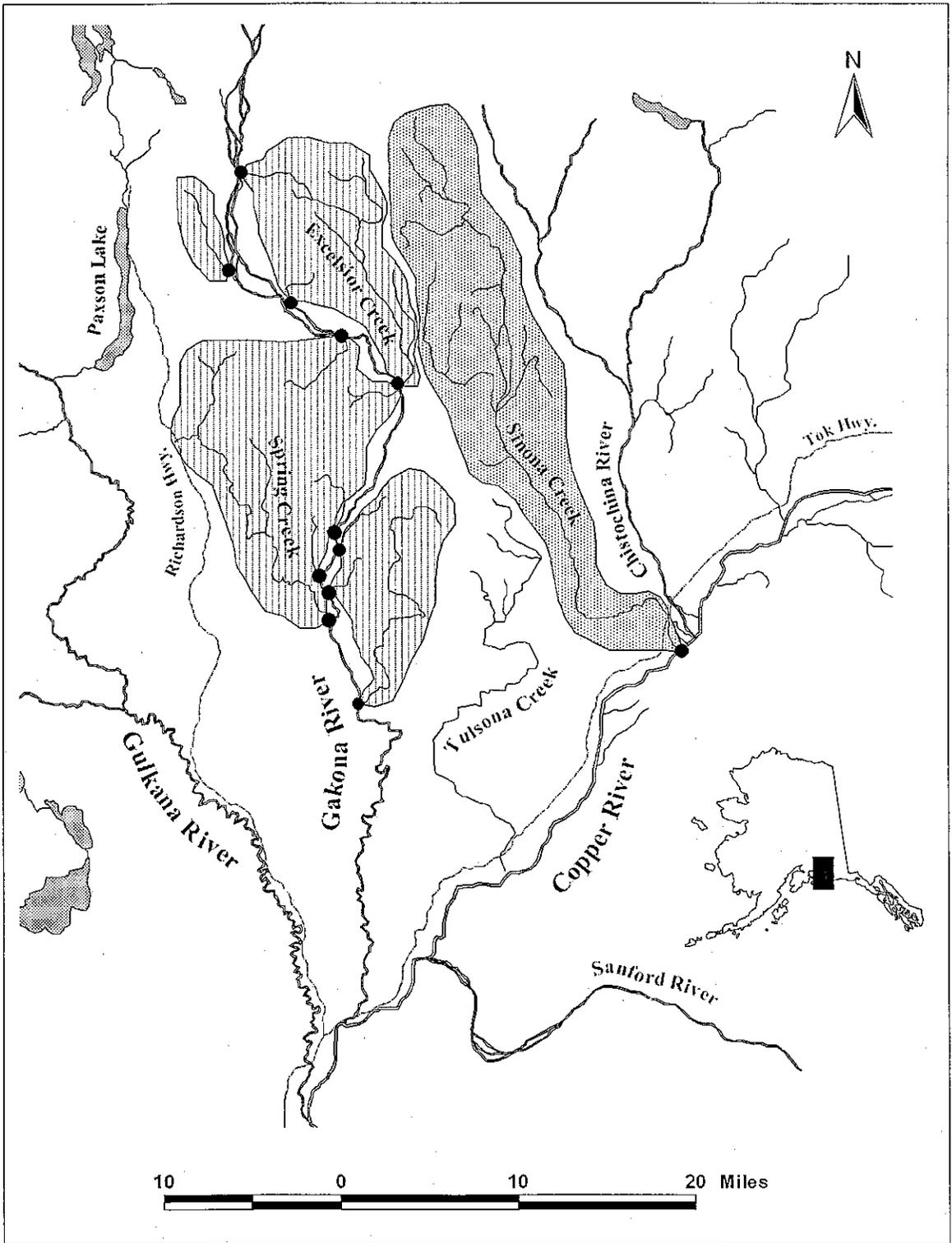


Figure 105-2.-Map of the Gakona River and Sinona Creek demarcating the areas closed to king salmon fishing (shaded with lines), the proposed one quarter-mile closures around tributary confluences with the Gakona and Copper rivers (solid dots), and the proposed Sinona Creek drainage closure (shaded with dots).

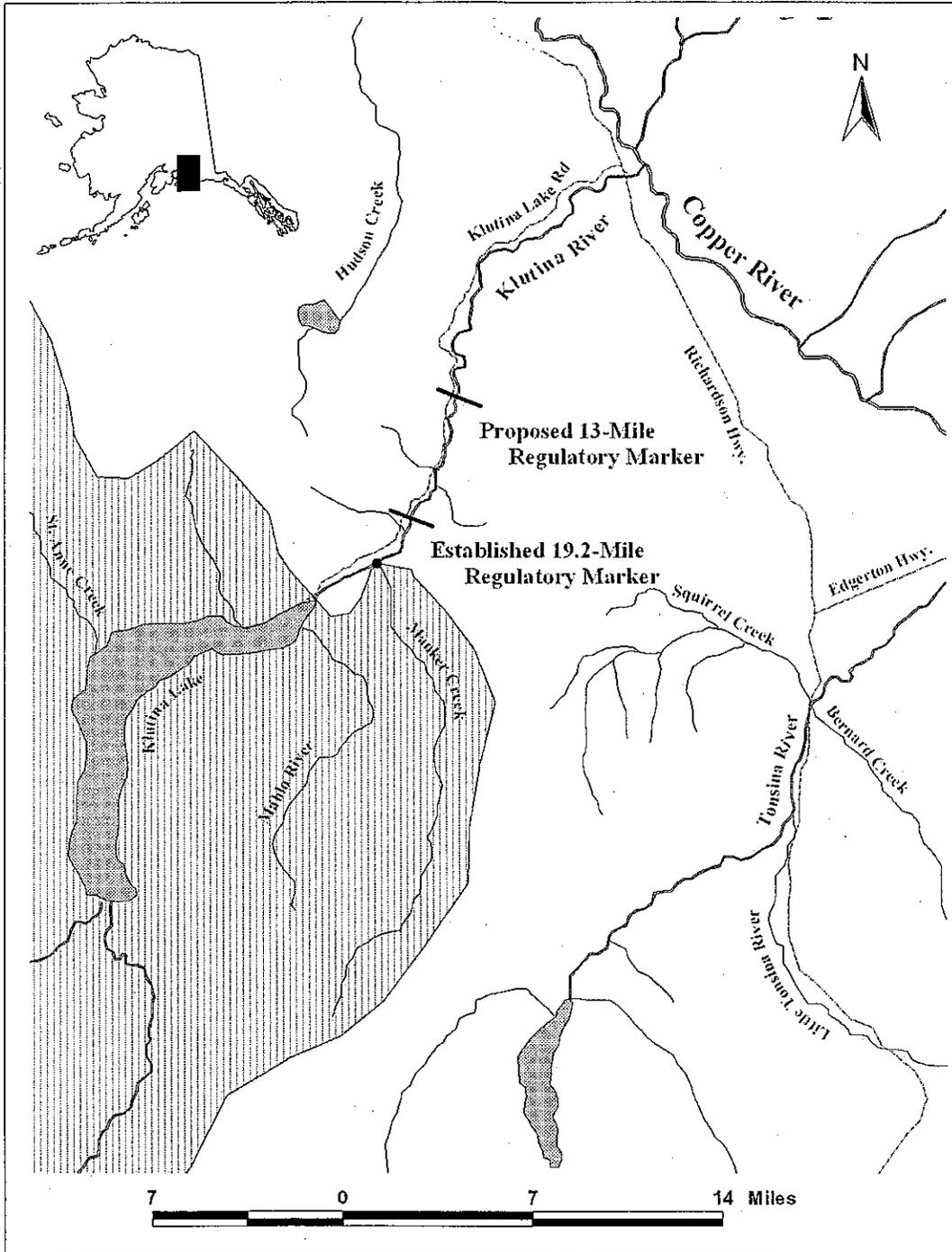


Figure 105-3.-Map of the Klutina River demarcating the areas closed to king salmon fishing (shaded with lines), the proposed one quarter-mile closure around Manker Creek (solid dot), and the established and proposed regulatory markers (solid dashes). The current king salmon fishing season closes on 19 July above the established regulatory marker and 31 July below the marker. The proposed season would be extended below the 13-Mile marker until 10 August.

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**PROPOSAL 106 - 5 AAC 52,023. Special provisions for seasons bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.**

Table 106-1.-Number of radio-tagged king salmon located in areas with proposed closures from 1999-2004.....70

Table 106-2.-Sport catch and harvest of king salmon from smaller streams in the upper Copper River drainage 1983-2007.....71

Figure 106-1.-Map of the Upper Copper River demarcating the areas closed to king salmon fishing, the proposed one quarter-mile closures around tributary confluences with the Copper River, and the proposed Slana River drainage closure .....72

**Table 106-1.-Number of radio-tagged king salmon located in areas with proposed closures from 1999-2004. The percent of all tags found in spawning areas is found in parentheses.**

<b>Location</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
<b>Lakina River</b>	3 (0.8)	2 (0.6)	2 (0.7)	6 (2.0)	4 (1.3)	5 (1.7)
<b>Gilahina River</b>	4 (1.1)	6 (1.9)	7 (2.4)	10 (3.3)	2 (0.6)	4 (1.4)
<b>Slana Drainage</b>	4 (1.1)	4 (1.3)	5 (1.7)	6 (2.0)	2 (0.6)	3 (1.0)
<b>Indian Creek</b>	2 (0.5)	2 (0.6)	3 (1.0)	4 (1.3)	2 (0.6)	3 (1.0)
<b>Ahtell Creek</b>	2 (0.5)	0 (0)	1 (0.3)	0 (0)	0 (0)	1 (0.3)
<b>Sinona Creek</b>	2 (0.5)	3 (0.9)	2 (0.7)	2 (0.7)	2 (0.6)	0 (0)
<b>Gakona River Tributaries</b>	11 (3.1)	3 (0.9)	4 (1.4)	2 (0.7)	5 (1.6)	5 (1.7)
<b>Manker Creek</b>	13 (3.7)	8 (2.5)	7 (2.4)	10 (3.3)	6 (1.9)	7 (2.4)
<b>Total Tags in all Spawning Areas</b>	356	318	293	306	308	296

Table 106-2.-Sport catch and harvest of king salmon from smaller streams in the upper Copper River drainage 1983-2007.

Year	Ahtell Creek		Gakona River		Gillahina River		Indian Creek		Lakina River		Manker Creek		Sinona Creek		Slana River	
	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch
1983	0	n/a	0	n/a	0	n/a	10	n/a	0	n/a	42	n/a	0	n/a	0	n/a
1984	0	n/a	0	n/a	0	n/a	17	n/a	0	n/a	0	n/a	0	n/a	0	n/a
1985	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a
1986	0	n/a	0	n/a	0	n/a	32	n/a	0	n/a	0	n/a	0	n/a	0	n/a
1987	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a
1988	0	n/a	0	n/a	0	n/a	9	n/a	0	n/a	0	n/a	0	n/a	0	n/a
1989	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a	0	n/a
1990	0	0	0	0	0	0	17	17	0	0	0	0	0	0	0	0
1991 <sup>a</sup>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1992	0	0	0	0	0	0	0	0	0	0	0	0	0	0	18	18
1993	0	0	0	0	0	0	0	0	0	0	34	426	0	0	47	283
1994	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1995	0	0	0	0	0	0	0	0	0	0	19	94	0	0	0	0
1996	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1997 <sup>b</sup>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1998	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1999	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	178
2001	0	0	0	53	0	0	0	0	0	0	0	0	0	0	0	0
2002	0	0	0	0	0	0	0	0	0	0	0	0	0	0	13	13
2003	0	0	0	9	0	0	0	0	0	0	0	0	0	0	0	193
2004	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	116
2005	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2007	0	0	0	0	0	0	0	0	0	0	0	0	0	0	16	16

<sup>a</sup> Indian and Ahtell creeks closed to king salmon fishing

<sup>b</sup> Gilahina River, Manker Creek, and the clear water tributaries of the Gakona River closed to king salmon fishing

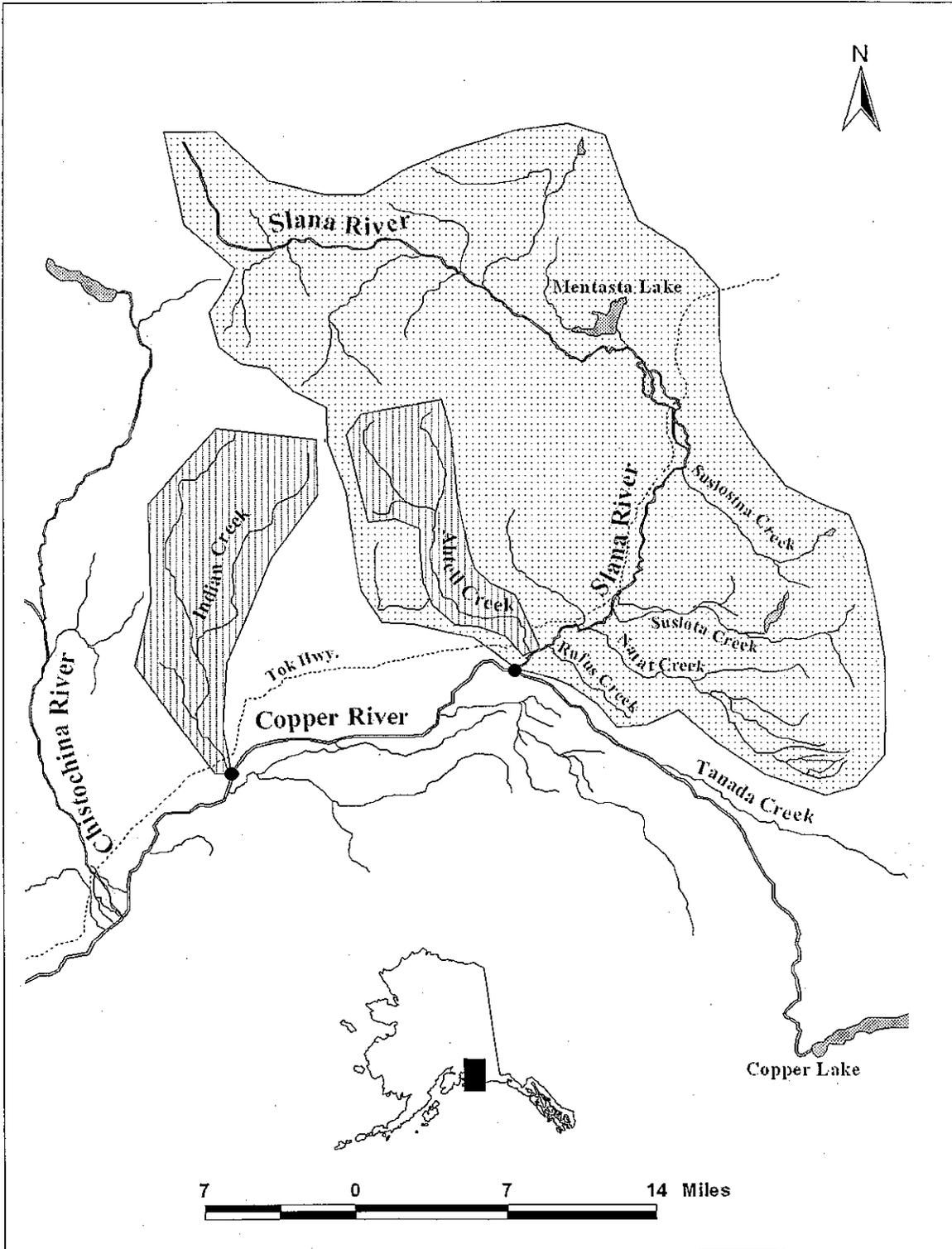


Figure 106-1.-Map of the Upper Copper River demarcating the areas closed to king salmon fishing (shaded with lines), the proposed one quarter-mile closures around tributary confluences with the Copper River (solid dots), and the proposed Slana River drainage closure (shaded with dots).

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**PROPOSAL 107 - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.**

Table 107-1.-Annual estimates of the percent of radio-tagged king salmon entering the Klutina River from 1999-2004. ....	74
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**Table 107-1.-Annual estimates of the percent of radio-tagged king salmon entering the Klutina River from 1999-2004.**

Percent	1999	2000	2001	2002	2003	2004	Average
10	1-Jul	14-Jul	27-Jun	29-Jun	4-Jun	19-Jun	25-Jun
20	3-Jul	26-Jul	9-Jul	5-Jul	7-Jun	21-Jun	1-Jul
30	13-Jul	29-Jul	14-Jul	11-Jul	11-Jun	27-Jun	7-Jul
40	16-Jul	1-Aug	18-Jul	17-Jul	15-Jun	4-Jul	12-Jul
50	20-Jul	4-Aug	21-Jul	21-Jul	20-Jun	12-Jul	16-Jul
60	25-Jul	8-Aug	24-Jul	26-Jul	26-Jun	14-Jul	20-Jul
70	27-Jul	10-Aug	29-Jul	31-Jul	9-Jul	17-Jul	25-Jul
80	31-Jul	12-Aug	4-Aug	4-Aug	21-Jul	22-Jul	31-Jul
90	13-Aug	17-Aug	13-Aug	9-Aug	31-Jul	29-Jul	8-Aug
100	19-Aug	29-Aug	21-Aug	13-Aug	15-Aug	31-Jul	16-Aug
After 31 July <sup>a</sup>	22%	67%	23%	30%	10%	0%	25%
After 5 August	17%	46%	19%	23%	5%	0%	18%
After 10 August	11%	32%	14%	8%	2%	0%	11%

<sup>a</sup> Currently the sport fishery is closed after 19 July above the 19.2 Mile Klutina lake Road regulatory marker and 31 July below the regulatory marker.

**Table 107-2.-Annual estimates of the percent of radio-tagged king salmon entering the Chitina River from 1999-2004.**

Percent	1999	2000	2001	2002	2003	2004	Average
10	8-Jun	2-Jun	8-Jun	12-Jun	7-Jun	12-Jun	8-Jun
20	18-Jun	11-Jun	10-Jun	13-Jun	15-Jun	14-Jun	13-Jun
30	20-Jun	19-Jun	16-Jun	14-Jun	20-Jun	17-Jun	17-Jun
40	21-Jun	22-Jun	21-Jun	16-Jun	22-Jun	18-Jun	20-Jun
50	24-Jun	23-Jun	27-Jun	17-Jun	24-Jun	24-Jun	23-Jun
60	25-Jun	24-Jun	30-Jun	2-Jul	25-Jun	3-Jul	28-Jun
70	27-Jun	25-Jun	2-Jul	5-Jul	28-Jun	7-Jul	30-Jun
80	29-Jun	27-Jun	16-Jul	9-Jul	30-Jun	13-Jul	5-Jul
90	9-Jul	4-Jul	18-Jul	11-Jul	5-Jul	20-Jul	11-Jul
100	15-Jul	3-Aug	11-Aug	21-Jul	15-Jul	31-Jul	26-Jul
After 31 July	0%	2%	6%	0%	0%	0%	1%
After 5 August	0%	0%	4%	0%	0%	0%	1%
After 10 August	0%	0%	3%	0%	0%	0%	1%

<sup>a</sup> Currently the sport fishery is closed after 19 July.

**Table 107-3.-Annual estimates of the percent of radio-tagged king salmon entering the Klutina River from 1999-2004. Average from 1999, 2001-2003.**

Percent	1999	2000	2001	2002	2003	2004	Average
10	1-Jul	14-Jul	27-Jun	29-Jun	4-Jun	19-Jun	22-Jun
20	3-Jul	26-Jul	9-Jul	5-Jul	7-Jun	21-Jun	28-Jun
30	13-Jul	29-Jul	14-Jul	11-Jul	11-Jun	27-Jun	4-Jul
40	16-Jul	1-Aug	18-Jul	17-Jul	15-Jun	4-Jul	9-Jul
50	20-Jul	4-Aug	21-Jul	21-Jul	20-Jun	12-Jul	13-Jul
60	25-Jul	8-Aug	24-Jul	26-Jul	26-Jun	14-Jul	17-Jul
70	27-Jul	10-Aug	29-Jul	31-Jul	9-Jul	17-Jul	24-Jul
80	31-Jul	12-Aug	4-Aug	4-Aug	21-Jul	22-Jul	30-Jul
90	13-Aug	17-Aug	13-Aug	9-Aug	31-Jul	29-Jul	8-Aug
100	19-Aug	29-Aug	21-Aug	13-Aug	15-Aug	31-Jul	17-Aug
After 31 July	22%	67%	23%	30%	10%	0%	21%
After 5 August	17%	46%	19%	23%	5%	0%	16%
After 10 August	11%	32%	14%	8%	2%	0%	9%

**Table 107-4.-Sport harvest and catch of king salmon from the Copper River and its tributaries downstream of the Klutina River, 1990-2007.**

Year	Harvest	Catch
1990	0	0
1991	25	25
1992	55	160
1993	64	176
1994	20	29
1995	0	9
1996	64	246
1997	22	22
1998	15	60
1999	11	22
2000	10	16
2001	32	32
2002	0	0
2003	12	12
2004	39	106
2005	15	15
2006	13	13
2007	113	275
Average 2002-2006	16	29
Average 1997-2006	17	30

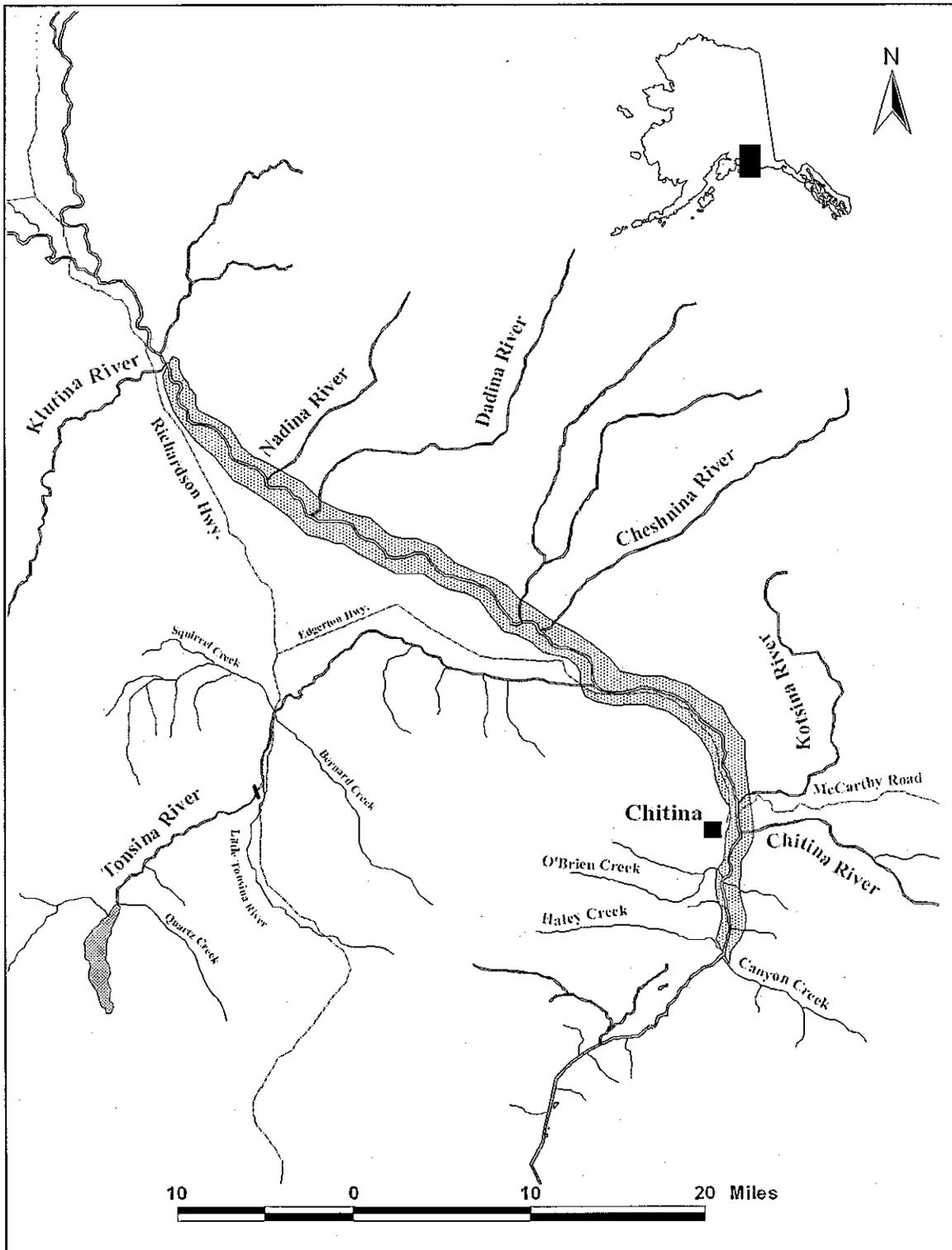


Figure 107-1.-Map of the mainstem Copper River demarcating the area (not including the tributary waters) proposed for a king salmon season extension. Currently this area closes on 19 July. The proposed closure would be 10 August.

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**PROPOSAL 108 - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.**

Table 108-1.-Annual estimates of the percent of radio-tagged king salmon entering the Klutina River from 1999-2004. Average from 1999 – 2004.....80

Table 108-2.-Annual estimates of the percent of radio-tagged king salmon entering the Klutina River from 1999-2004. Average from 1999, 2001-2003 .....81

Table 108 -3.-Sport harvest and catch of king salmon from the Klutina River, 1990-2007 .....82

Figure 108-1.-Map of the Klutina River demarcating the areas closed to king salmon fishing, the proposed one quarter-mile closure around Manker Creek, and the established and proposed regulatory markers.....83

**Table 108-1.-Annual estimates of the percent of radio-tagged king salmon entering the Klutina River from 1999-2004. Average from 1999 – 2004.**

Percent	1999	2000	2001	2002	2003	2004	Average
10	1-Jul	14-Jul	27-Jun	29-Jun	4-Jun	19-Jun	25-Jun
20	3-Jul	26-Jul	9-Jul	5-Jul	7-Jun	21-Jun	1-Jul
30	13-Jul	29-Jul	14-Jul	11-Jul	11-Jun	27-Jun	7-Jul
40	16-Jul	1-Aug	18-Jul	17-Jul	15-Jun	4-Jul	12-Jul
50	20-Jul	4-Aug	21-Jul	21-Jul	20-Jun	12-Jul	16-Jul
60	25-Jul	8-Aug	24-Jul	26-Jul	26-Jun	14-Jul	20-Jul
70	27-Jul	10-Aug	29-Jul	31-Jul	9-Jul	17-Jul	25-Jul
80	31-Jul	12-Aug	4-Aug	4-Aug	21-Jul	22-Jul	31-Jul
90	13-Aug	17-Aug	13-Aug	9-Aug	31-Jul	29-Jul	8-Aug
100	19-Aug	29-Aug	21-Aug	13-Aug	15-Aug	31-Jul	16-Aug
After 31 July <sup>a</sup>	22%	67%	23%	30%	10%	0%	25%
After 5 August	17%	46%	19%	23%	5%	0%	18%
After 10 August	11%	32%	14%	8%	2%	0%	11%

<sup>a</sup> Currently the sport fishery is closed after 19 July above the 19.2 Mile Klutina lake Road regulatory marker and 31 July below the regulatory marker.

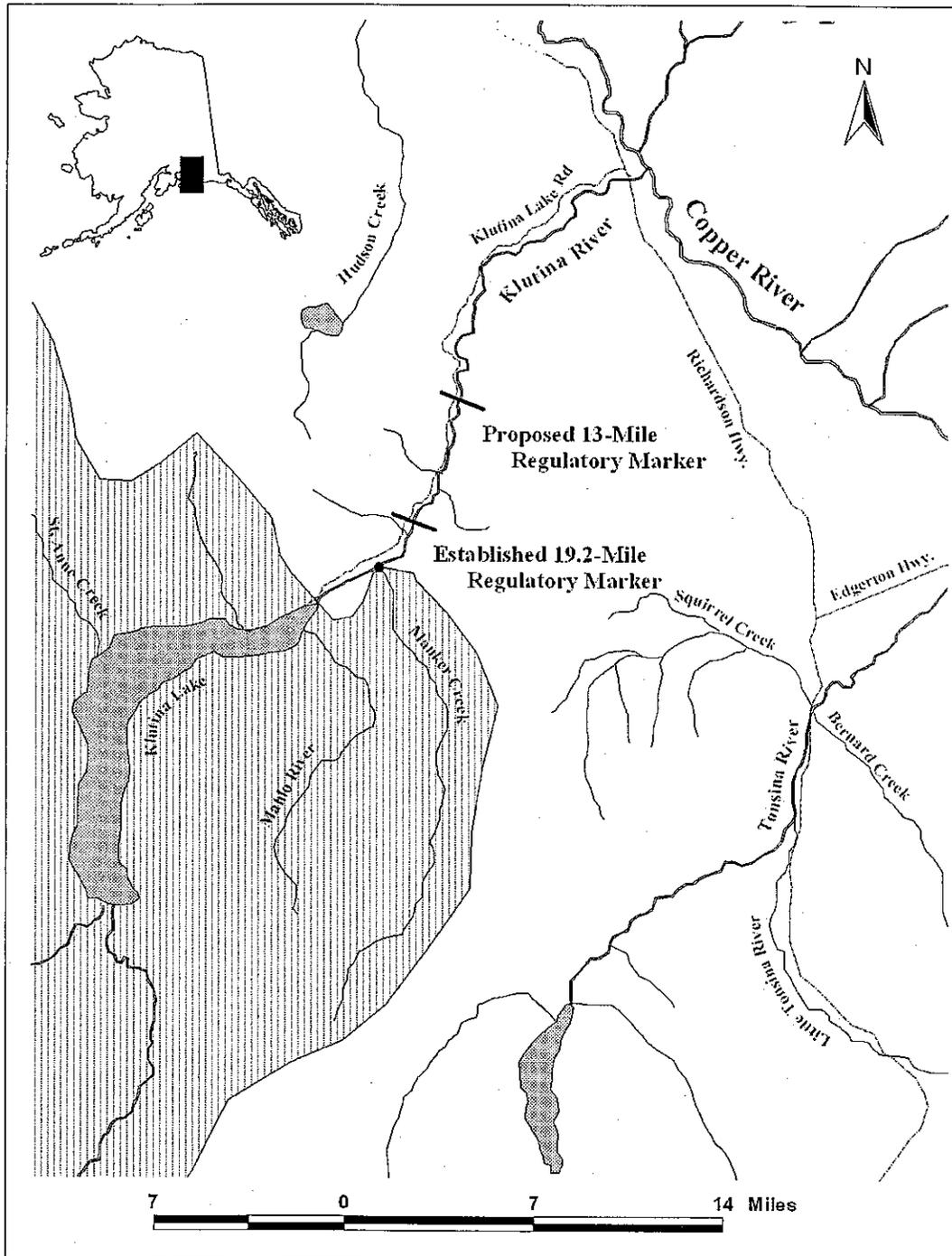
**Table 108-2.-Annual estimates of the percent of radio-tagged king salmon entering the Klutina River from 1999-2004. Average from 1999, 2001-2003.**

Percent	1999	2000	2001	2002	2003	2004	Average
10	1-Jul	14-Jul	27-Jun	29-Jun	4-Jun	19-Jun	22-Jun
20	3-Jul	26-Jul	9-Jul	5-Jul	7-Jun	21-Jun	28-Jun
30	13-Jul	29-Jul	14-Jul	11-Jul	11-Jun	27-Jun	4-Jul
40	16-Jul	1-Aug	18-Jul	17-Jul	15-Jun	4-Jul	9-Jul
50	20-Jul	4-Aug	21-Jul	21-Jul	20-Jun	12-Jul	13-Jul
60	25-Jul	8-Aug	24-Jul	26-Jul	26-Jun	14-Jul	17-Jul
70	27-Jul	10-Aug	29-Jul	31-Jul	9-Jul	17-Jul	24-Jul
80	31-Jul	12-Aug	4-Aug	4-Aug	21-Jul	22-Jul	30-Jul
90	13-Aug	17-Aug	13-Aug	9-Aug	31-Jul	29-Jul	8-Aug
100	19-Aug	29-Aug	21-Aug	13-Aug	15-Aug	31-Jul	17-Aug
After 31 July	22%	67%	23%	30%	10%	0%	21%
After 5 August	17%	46%	19%	23%	5%	0%	16%
After 10 August	11%	32%	14%	8%	2%	0%	9%

**Table 108-3.-Sport harvest and catch of king salmon from the Klutina River, 1990-2007.**

Year	Harvest	Catch
1990	583	1,493
1991	1,709	3,036
1992	1,075	3,822
1993	1,989	4,934
1994	2,189	3,807
1995	2,485	5,081
1996	3,142	7,407
1997 <sup>a</sup>	3,344	8,677
1998	2,608	5,815
1999	3,489	8,637
2000	1,303	4,057
2001	1,465	4,922
2002	1,778	5,645
2003	1,873	5,418
2004	1,338	4,135
2005	1,276	2,651
2006	1,136	2,890
2007	1,687	3,028
Average 2002-2006	1,480	4,148
Average 1997-2006	1,961	5,285

<sup>a</sup> King salmon season closure date on Klutina River reduced from August 10 to July 31.



**Figure 108-1.-Map of the Klutina River demarcating the areas closed to king salmon fishing (shaded with lines), the proposed one quarter-mile closure around Mankler Creek (solid dot), and the established and proposed regulatory markers (solid dashes). The current king salmon fishing season closes on 19 July above the established regulatory marker and 31 July below the marker. The proposed season would be extended below the 13-Mile marker until 10 August.**

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**PROPOSAL 109 - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.**

Table 109-1.-Annual estimates of the percent of radio-tagged king salmon entering the  
Tonsina River from 1999-2004..... 85

Table 109-2.-Sport harvest and catch of king salmon from the Tonsina River, 1990-2007 ..... 86

Figure 109-1.-Map of the Tonsina River demarcating the areas closed to king salmon fishing  
and the proposed mainstem Tonsina River season extension ..... 87

**Table 109-1.-Annual estimates of the percent of radio-tagged king salmon entering the Tonsina River from 1999-2004.**

Percent	1999	2000	2001	2002	2003	2004	Average
10	1-Jul	24-Jun	4-Jul	5-Jul	30-Jun	29-Jun	30-Jun
20	4-Jul	7-Jul	11-Jul	9-Jul	6-Jul	6-Jul	7-Jul
30	7-Jul	12-Jul	12-Jul	10-Jul	8-Jul	10-Jul	9-Jul
40	8-Jul	16-Jul	13-Jul	14-Jul	12-Jul	13-Jul	12-Jul
50	10-Jul	21-Jul	16-Jul	15-Jul	14-Jul	15-Jul	15-Jul
60	14-Jul	23-Jul	18-Jul	16-Jul	16-Jul	16-Jul	17-Jul
70	26-Jul	27-Jul	20-Jul	18-Jul	20-Jul	18-Jul	21-Jul
80	27-Jul	30-Jul	25-Jul	21-Jul	26-Jul	22-Jul	25-Jul
90	4-Aug	4-Aug	30-Jul	23-Jul	1-Aug	30-Jul	30-Jul
100	8-Aug	27-Aug	15-Aug	4-Aug	14-Aug	10-Aug	13-Aug
After 19 July <sup>a</sup>	35%	58%	40%	26%	33%	27%	37%
After 31 July	13%	15%	7%	3%	15%	7%	10%
After 5 August	4%	6%	3%	0%	3%	4%	3%
After 10 August	0%	2%	3%	0%	2%	0%	1%

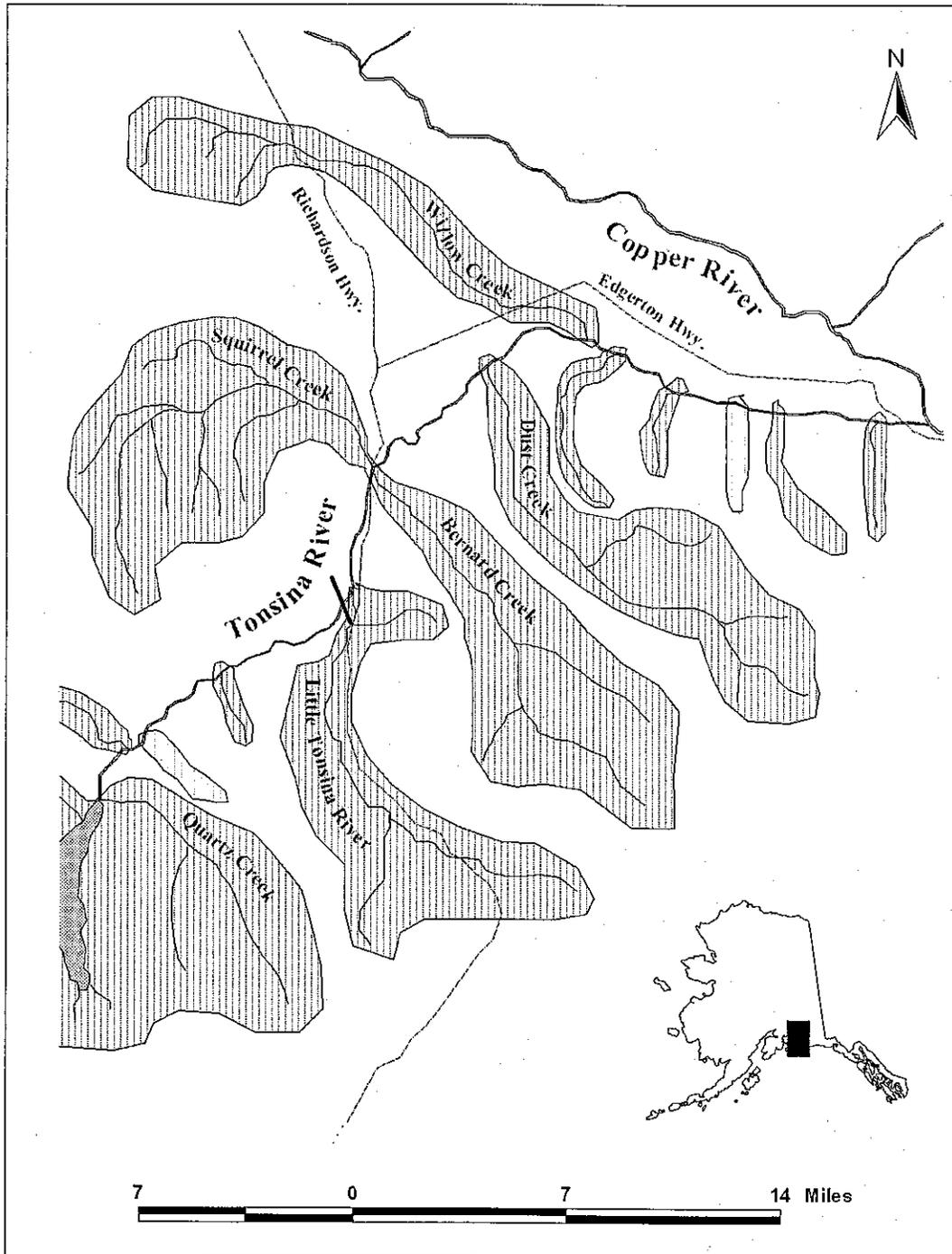
<sup>a</sup> Currently the sport fishery is closed after 19 July.

**Table 109-2.-Sport harvest and catch of king salmon from the Tonsina River, 1990-2007.**

Year	Harvest	Catch
1990	23	35
1991	89	146
1992	152	222
1993	172	614
1994	349	698
1995	539	1,102
1996	331	832
1997 <sup>a</sup>	131	395
1998	39	193
1999	0	0
2000	0	292
2001	11	21
2002	230	861
2003 <sup>b</sup>	25	290
2004	115	521
2005	214	483
2006	100	367
2007	0	31
Average 2002-2006	137	504
Average 1997-2006	87	342

<sup>a</sup> Use of bait prohibited on the Tonsina River.

<sup>b</sup> Bait allowed on the Tonsina River downstream of Tonsina Lake.



**Figure 109-1.-Map of the Tonsina River demarcating the areas closed to king salmon fishing (shaded with lines) and the proposed mainstem Tonsina River season extension which includes mainstem waters (excluding one quarter-mile around all tributaries) downstream from the pipeline crossing (solid line) to the confluence with the Copper River. Current season ends on 19 July. Proposed season would end on 10 August.**

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**PROPOSAL 110 - 5 AAC 52.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.**

Table 110-1.-Sport catch and harvest of sockeye salmon in the Upper Copper River drainage, 1990-2007..... 89

Table 110-1.-Sport catch and harvest of sockeye salmon in the Upper Copper River drainage, 1990-2007.

Year	Gulkana River Drainage			Klutina River Drainage			Other Waters			Total Harvest	Total Catch	% Released
	Harvest	Catch	% Released	Harvest	Catch	% Released	Harvest	Catch	% Released			
1990	2,697	5,847	54%	802	2,367	66%	70	260	73%	3,569	8,474	58%
1991	2,366	5,501	57%	2,435	4,032	40%	710	710	0%	5,511	10,243	46%
1992	2,128	5,507	61%	1,356	2,663	49%	1,076	1,174	8%	4,560	9,344	51%
1993	3,045	7,739	61%	1,369	2,143	36%	874	931	6%	5,288	10,813	51%
1994	2,503	5,288	53%	3,137	5,082	38%	893	1,330	33%	6,533	11,700	44%
1995	2,409	4,571	47%	2,549	4,181	39%	1,110	1,631	32%	6,068	10,383	42%
1996	7,418	16,634	55%	4,215	8,303	49%	218	328	34%	11,851	25,265	53%
1997	4,566	11,785	61%	6,501	12,795	49%	1,226	2,144	43%	12,293	26,724	54%
1998	6,370	14,195	55%	4,264	6,184	31%	550	980	44%	11,184	21,359	48%
1999	4,192	8,382	50%	6,514	11,436	43%	395	964	59%	11,101	20,782	47%
2000	4,307	7,795	45%	7,219	9,635	25%	835	1,918	56%	12,361	19,348	36%
2001	1,808	4,612	61%	5,834	10,556	45%	527	675	22%	8,169	15,843	48%
2002	2,545	4,361	42%	4,704	7,146	34%	512	674	24%	7,761	12,181	36%
2003	1,465	2,703	46%	5,321	12,081	56%	322	934	66%	7,108	15,718	55%
2004	976	3,233	70%	5,069	6,639	24%	419	1,040	60%	6,464	10,912	41%
2005	1,169	1,984	41%	6,646	13,394	50%	320	715	55%	8,135	16,093	49%
2006	923	2,392	61%	13,222	18,868	30%	152	518	71%	14,297	21,778	34%
2007	1,458	3,485	58%	21,255	26,729	20%	315	696	55%	23,028	30,910	25%
Average 2002-2006	1,416	2,935	52%	6,992	11,626	39%	345	776	55%	8,753	15,336	43%
Average 1997-2006	2,832	6,144	53%	6,529	10,873	39%	526	1,056	50%	9,887	18,074	45%

**PROPOSAL 111 - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.**

Table 111-1.-Summary of regulations that prohibit the removal of fish from the water by location and species. .... 90

Table 111-2.-Sport harvest, catch, and percent released of salmon species in the UCUSMA, 1990-2007..... 92

**Table 111-1.-Summary of regulations that prohibit the removal of fish from the water by location and species.**

Fishery status	Species	Location	Regulation
Harvest	King salmon	Upper Copper/Upper Susitna	5 AAC 52.022 (a)(3)(C)
	Coho salmon	PWS freshwater	5 AAC 55.023 (1)(A)
	King salmon $\geq 20''$	Anchor River drainage	5 AAC 56.122 (a)(2)(E)
	King salmon $\geq 20''$	Deep Creek drainage	5 AAC 56.122 (a)(5)(D)
	King salmon $\geq 20''$	Ninilchik River drainage	5 AAC 56.122 (a)(6)(D)
	King salmon $\geq 20''$ -hatchery	Kasilof River drainage	5 AAC 56.122 (a)(8)(A)(i)
	King salmon $\geq 20''$ - naturally produced	Kasilof River drainage	5 AAC 56.122 (a)(8)(A)(ii)
	King salmon $\geq 20''$ -Sterling Hwy down	Kasilof River drainage	5 AAC 56.122 (a)(8)(B)(i)
	King salmon $\geq 20''$	Kenai River drainage	5 AAC 57.120 (2)(A)(ii)
	King salmon $\geq 20''$	Cook Inlet-Resurrection Bay saltwater	5 AAC 58.022 (a)(1)
	King salmon $\geq 20''$	Cook Inlet saltwater N. of Bluff Point	5 AAC 58.022 (b)(1)(A)(i)
	King salmon $\geq 20''$	Eagle River drainage	5 AAC 59.122 (4)(G)
	King salmon $\geq 20''$	Ship Creek drainage	5 AAC 59.122 (13)(C)
	Coho salmon	Little Susitna River drainage	5 AAC 60.122 (9)(I)
	King salmon $\geq 20''$	Susitna River drainage	5 AAC 61.110 (1)(A)
	King salmon $< 20''$	Susitna River drainage	5 AAC 61.110 (1)(B)(i)
	King salmon $\geq 20''$	West Cook Inlet Area	5 AAC 62.120 (1)(A)
	King salmon	Bristol Bay Area – freshwater	5 AAC 67.020 (1)
	King salmon	Bristol Bay Area – saltwater	5 AAC 67.020 (2)
	Salmon	Unalakleet River drainage	5 AAC 70.011 (a)(9)(D)
Catch & Release	King salmon $< 20''$	Kenai Peninsula	5 AAC 56.120 (1)(B)
	Rainbow trout/steelhead	Anchor River drainage	5 AAC 56.122 (a)(2)(B)

**Table 111-1.-continued**

Fishery status	Species	Location	Regulation
Catch & Release	Rainbow trout/steelhead	Crooked Creek drainage	5 AAC 56.122 (a)(4)(C)
	Rainbow trout/steelhead	Deep Creek drainage	5 AAC 56.122 (a)(5)(B)
	Rainbow trout/steelhead	Ninilchik River drainage	5 AAC 56.122 (a)(6)(B)
	Rainbow trout/steelhead – Sterling	Kasilof River drainage	5 AAC 56.122
	Rainbow trout/steelhead	Stariski Creek drainage	5 AAC 56.122 (a)(10)(B)
	King salmon ≥ 20"	Knik Arm drainages	5 AAC 60.122 (1)(A)
	King salmon < 20"	Knik Arm drainages	5 AAC 60.122 (1)(B)
	King salmon	Goodpaster River	5 AAC 70.015 (a)(12)
Closed	King salmon ≥ 20"	Kenai Peninsula	5 AAC 56.120 (1)(A)
	Rainbow trout/steelhead	Cook Inlet-Resurrection Bay Saltwater	5 AAC 58.022 (a)(3)
	King salmon ≥ 20"	Anchorage Bowl drainages	5 AAC 59.120 (1)(A)
	King salmon < 20"	Anchorage Bowl drainages	5 AAC 59.120 (1)(B)(i)
	King salmon	Big Creek drainage	5 AAC 67.022 (a)(11)

Table 111-2.-Sport harvest, catch, and percent released of salmon species in the UCUSMA, 1990-2007.

Year	King Salmon <sup>a</sup>			Sockeye Salmon			Coho Salmon			Landlocked Salmon		
	Harvest	Catch	% Released	Harvest	Catch	% Released	Harvest	Catch	% Released	Harvest	Catch	% Released
1990	2,302	6,057	62%	3,569	8,474	58%	0	0	-	17	51	67%
1991	4,884	10,079	52%	5,511	10,243	46%	69	120	43%	111	389	71%
1992	4,412	12,340	64%	4,560	9,344	51%	113	169	33%	433	670	35%
1993	8,217	21,767	62%	5,288	10,813	51%	249	354	30%	56	145	61%
1994	6,431	11,272	43%	6,533	11,700	44%	209	417	50%	134	550	76%
1995	6,709	14,178	53%	6,068	10,383	42%	160	254	37%	42	109	61%
1996	9,116	27,195	66%	11,851	25,265	53%	192	502	62%	751	1,244	40%
1997	8,346	27,760	70%	12,293	26,714	54%	96	304	68%	331	1,095	70%
1998	8,245	22,324	63%	11,184	21,359	48%	289	1,535	81%	477	1,708	72%
1999	6,742	18,034	63%	11,101	20,782	47%	24	73	67%	232	309	25%
2000	5,531	18,503	70%	12,361	19,348	36%	324	596	46%	436	800	46%
2001	4,904	16,000	69%	8,169	15,843	48%	92	733	87%	282	513	45%
2002	5,098	19,497	74%	7,761	12,181	36%	384	471	18%	282	927	70%
2003	5,717	19,426	71%	7,108	15,718	55%	277	585	53%	51	169	70%
2004	3,435	12,664	73%	6,464	10,912	41%	131	478	73%	0	0	-
2005	4,093	9,778	58%	8,135	16,093	49%	72	172	58%	122	279	56%
2006	3,425	11,057	69%	14,297	21,778	34%	54	72	25%	42	42	0%
2007	5,123	12,127	58%	23,028	30,910	25%	0	11	100%	0	0	-
Average 2002-2006	4,354	14,484	69%	8,753	15,336	43%	184	356	45%	99	283	49%
Average 1997-2006	5,554	17,504	68%	9,887	18,073	45%	174	502	58%	226	584	50%

<sup>a</sup> Current UCUSMA regulations prohibited the removal from the water any king salmon the angler intends to release.

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**PROPOSAL 112 - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.**

Table 112-1.-Sport angler effort, salmon harvest and catch for the major salmon fisheries and upper Copper River spawning escapement estimates for king and sockeye salmon, 1990 - 2007. ....94

Table 112-1.-Sport angler effort, salmon harvest and catch for the major salmon fisheries and upper Copper River spawning escapement estimates for king and sockeye salmon, 1990 - 2007.

Year	Effort <sup>a</sup>			Sockeye			King			Coho <sup>b</sup>			Total
	Total	Harvest	Catch	Harvest	Catch	Escapement <sup>b</sup>	Harvest	Catch	Escapement <sup>b</sup>	Harvest	Catch	Escapement <sup>b</sup>	
1990	25,166	3,569	8,474	424,662	2,302	6,057	0	0	5,871	14,531	0	5,871	14,531
1991	35,502	5,511	10,243	393,312	4,884	10,079	69	120	10,464	20,442	69	10,464	20,442
1992	34,677	4,560	9,344	381,436	4,412	12,340	113	169	9,085	21,853	113	9,085	21,853
1993	38,621	5,288	10,813	645,515	8,217	21,767	249	354	13,754	32,934	249	13,754	32,934
1994	38,459	6,533	11,700	506,006	6,431	11,272	209	417	13,173	23,389	209	13,173	23,389
1995	51,823	6,068	10,383	431,029	6,709	14,178	160	254	12,937	24,815	160	12,937	24,815
1996	37,940	11,851	25,265	623,326	9,116	27,195	192	502	21,159	52,962	192	21,159	52,962
1997	36,456	12,293	26,714	838,805	8,346	27,760	96	304	20,735	54,778	96	20,735	54,778
1998	37,811	11,184	21,359	485,541	8,245	22,324	289	1,535	19,718	45,218	289	19,718	45,218
1999	46,851	11,101	20,782	458,427	6,742	18,034	24	73	17,867	38,889	24	17,867	38,889
2000	33,203	12,361	19,348	300,134	5,531	18,503	324	596	18,216	38,447	324	18,216	38,447
2001	28,724	8,169	15,843	509,519	4,904	16,000	92	733	13,165	32,576	92	13,165	32,576
2002	28,552	7,761	12,181	584,423	5,098	19,497	384	471	13,243	32,149	384	13,243	32,149
2003	28,978	7,108	15,718	463,682	5,717	19,426	277	585	13,102	35,729	277	13,102	35,729
2004	28,797	6,464	10,912	454,132	3,435	12,664	131	478	10,030	24,054	131	10,030	24,054
2005	26,462	8,135	16,093	516,890	4,093	9,778	72	172	12,300	26,043	72	12,300	26,043
2006	24,911	14,297	21,778	605,874	3,425	11,057	54	72	17,776	32,907	54	17,776	32,907
2007	36,441	23,028	30,910	637,979	5,123	12,127	0	11	28,151	43,048	0	28,151	43,048
Allocation <sup>c</sup>													
Average													
2002-2006	27,540	8,753	15,336	525,000	4,354	14,484	184	356	13,290	30,176	184	13,290	30,176
Average													
1997-2006	32,075	9,887	18,073	521,743	5,554	17,504	174	502	15,615	36,079	174	15,615	36,079

<sup>a</sup> Effort is number of angler-days

<sup>b</sup> Sonar estimate (sockeye) or population estimate (king salmon) minus up-river harvest. Current escapement goal for Copper River sockeye is a SEG of 300,000 - 500,000; for king salmon it is a SEG of 24,000 king salmon or greater. There is no estimate for Upper Copper River coho spawning escapement.

<sup>c</sup> Within the inriver goal of the Copper River District Management Plan (5 AAC 24.360(b)) the sport fishery salmon allocation is 15,000 salmon all species combined. This does not include fish surplus to the inriver goal.

**PROPOSAL 113 - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.**

Table 113-1.-Harvest and catch of Gulkana River king salmon by method and guided versus unguided, 1996.....95  
 Table 113-2.-Harvest and catch of Klutina River king salmon by access and guided versus unguided.....95

**Table 113-1.-Harvest and catch of Gulkana River king salmon by method and guided versus unguided, 1996<sup>a</sup>.**

	% of Harvest	% of Catch
Boat	44%	50%
Shore	56%	50%
Guided	41%	56%
Unguided	59%	44%

<sup>a</sup> Data are from creel census (LaFlamme 1997)

**Table 113-2.-Harvest and catch of Klutina River king salmon by access and guided versus unguided.**

Access	% of Harvest		% of Catch	
	1988 <sup>a</sup>	2006 <sup>b</sup>	1988 <sup>a</sup>	2006 <sup>b</sup>
Power Boat	91.3	70.4	93.3	n/a
Raft <sup>c</sup>	n/a	17.4	n/a	n/a
Shore	8.7	12.2	6.7	n/a
Guided	82.9	81.0	89.7	86.2
Unguided	17.1	19.0	10.3	13.8

<sup>a</sup> Data are from creel census (Roth and Delaney 1989)

<sup>b</sup> Data are from creel census (Schwanke and Craig *in prep*)

<sup>c</sup> 1988 data combined rafts and power boats

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**PROPOSAL 114 - 5 AAC XX.XXX. New Section.**

Statewide Stocking Policy ..... 97  
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female triploid (AF 3Na) fish, and number stocked with mixed sex diploid  
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**LAKE STOCKING POLICY  
FOR  
SPORT FISH DIVISION**

**Original Policy Authorized in February of 1998  
Revised 04/07/2008**

**INTRODUCTION**

The stocking of lakes with hatchery reared fish was initiated in the 1950's and has become an integral component of the Alaska Department of Fish and Game (ADF&G) Sport Fish Division. Initial fish stocking included the introduction of species and stocks from the Pacific Northwest, as well as transporting Alaska stocks of fish into non-native areas with the intent to establish populations. These types of stockings were acceptable management practices at the time, but they would not be allowed today. Currently, over 300 lakes in Southeast, Southcentral and Interior Alaska are stocked with hatchery-produced fish.

Fish stocking is stringently regulated in Alaska. Title 16 of the Alaska Statutes and Title 5 of the Alaska Administrative Code specifically address the transportation and possession of live fish. Although the statutes and administrative code provide overall directives, they do not provide specific recommendations on what physical and biological characteristics define acceptable stocking locations, appropriate measures to sterilize fish, or specific recommendations for the use of species, life stages or genetic type. Fishery managers need guidelines on these variables to plan stocking projects. This policy is intended to guide the Sport Fish Division lake stocking projects that benefit recreational anglers. Regular review of this policy will be necessary to keep it germane to management philosophy and hatchery technology changes.

**PLANNING**

Sites for stocking fish are proposed, reviewed and approved through an ADF&G planning process. Sport Fish Division Area Management Biologists or regional stocking program personnel initiate all stocking requests for their area of responsibility. Public inquiries relative to lake stocking should be directed to these people. They will investigate the ability of the lake to sustain fish, public access opportunities, and lake characteristics. A recommendation to stock or not to stock the lake will be made based on the investigation results and appropriate lake stocking guidelines.

All Sport Fish Division lake stocking is primarily funded with Federal Aid in Sport Fish Restoration funds. Therefore, each lake stocking project must comply with rules outlined in the "Federal Aid Manual" and other criteria specified by the Division of Federal Aid, U.S. Fish and Wildlife Service (USFWS).

The primary planning document for lake stocking is the Statewide Stocking Plan for Recreational Fisheries (SSP). This document describes a five-year plan for stocking

projects for recreational anglers and is updated annually. The SSP receives state, federal and public review.

Any proposed lake stocking should appear in the SSP one year or more prior to the initial stocking.

## PERMITTING

Once the planning phase of a stocking project is complete, a Fish Transport Permit (FTP) must be obtained. The FTP is required as part of authorization for possession, transport, and release of live fish within the state (5 AAC 41.005). An FTP can be obtained by filling out a detailed application that contains all information pertinent to the project. Each application is reviewed by a cross-section of ADF&G personnel and submitted to the Commissioner of ADF&G with a recommendation for approval or denial.

Numerous Sport Fish Division stocked lakes may be grouped together on a single FTP. The primary groupings are organized by species, life stage and genetic type. Multiple life stages can be included on a single FTP. Secondary groupings can be organized by lake category and geographic area.

All lake stocking FTPs will be issued for a fixed period. Sport Fish Division has selected a maximum period of 5 years. All FTPs for each species are scheduled to expire simultaneously. Expiration of FTPs for a species will trigger an internal review of the stocking program for that species. The expiration dates by species are as follows:

Species	Expiration Date
Arctic char	12/31/08
King salmon	12/31/09
Rainbow trout – all genetic types	12/31/10
Lake trout	12/31/10
Arctic grayling	12/31/11
Coho Salmon	12/31/12

Following review, FTPs may be issued or amended to extend the effective date for another 5year period.

## LAKE CATEGORIES

Prior to stocking, a lake must be classified into one of five categories that rank lakes according to the likelihood that fish stocked in the lakes may escape into other water bodies within the drainage. *Category 1* lakes are single or multiple connected lakes that are landlocked from which fish cannot escape. These lakes have no outlet stream with direct or indirect access to an open system that eventually leads to saltwater. *Category 2* lakes have intermittent outlets. A small stream may flow out of the lake during high water periods. The incidence of high water periods is usually less than 2 weeks per year.

Fish may periodically escape and interact with wild fish populations. *Category 3* lakes have barriered or weired outlets. A barriered outlet has a natural structure that prevents fish passage into or out of the lake. A weired outlet has a man-made

structure that prevents fish passage, has passed requirements for blockage to fish passage, and is regularly inspected and certified for blockage. Birch Lake in interior Alaska and Cheney Lake in southcentral Alaska are examples of weired Category 3 lakes that meet blockage requirements. Fish may periodically escape from barriered Category 3 lakes and impact wild fish populations. The incidence of fish escape from weired Category 3 lakes is low and is not likely to impact wild fish populations. *Category 4* lakes are prone to floods. These are small lakes or ponds usually located in the floodplain of a stream and subject to flooding during high water flows. Fish can leave the system during flood events. Some lakes in this category may flood every year while others rarely flood. *Category 5* lakes have open outlets. Fish can pass freely in and out of the system. The potential impact to wild fish populations is high. The magnitude of impact depends on the species and life stage stocked and the wild stocks present

## STOCKING PRODUCTS

Five species are currently reared for stocking projects (Table 1). We produce fish that are reproductively viable (diploid, mix-sex) and reproductively impaired. Two methods are used to produce fish that are unlikely to result in self-reproducing populations or in hybridization with local stocks: triploidy and all-female induction. Triploids have been produced for all species except lake trout. Triploid induction success rate varies by species with high induction rates for Arctic grayling, landlocked salmon, and Arctic char, and lower rates for rainbow trout. To further insure the non-reproductive status of triploid rainbow trout, all-female lots are produced. Triploids are sterile while all-females are incapable of establishing self-reproducing populations in the absence of wild fish.

The Department's threshold for mixed-sex triploids is being 95% confident that the triploid rate is 99% or higher. The certification rate for all-female triploid rainbow trout is being 95% confident that the triploid rate is 90% or higher. Fish certified at a lower rate can only be stocked into lakes approved for stocking of diploid stocking products.

In order to reduce the potential for negative impacts to wild fish populations, the Sport Fish Division is endorsing the use of sterile stocking products whenever practical.

### Rainbow trout

Rainbow trout are the primary hatchery product used in lake stocking. All rainbow trout production comes from captive broodstock maintained at Fort Richardson Hatchery. The broodstock is descended from wild Swanson River rainbow trout collected in the 1980s.

Numerous sizes of rainbow trout are stocked. Excess broodstock at Ft. Richardson Hatchery are periodically culled for stocking. Rainbow trout broodstock are 1 to 3 years old and usually weigh 0.2 to 1.0 kg (1/2 to 2.2 pounds). Catchable rainbow trout are 1-2 years old and weigh an average of 100 g (1/4 pound). Subcatchable rainbow trout are 6 months to 1 year old and weigh between 15 and 60 g. Fingerling rainbow trout are

usually 2 to 4 months old and weigh between 1 and 4 g. Rainbow trout fry are less than 2 months old and usually weigh less than a gram.

### Arctic Grayling

Arctic grayling are stocked in many Southcentral and Interior Alaska lakes. A few lakes in Southeast Alaska have been stocked intermittently. All hatchery produced Arctic grayling are reared from eggs obtained from wild fish from the Chena River stock. No captive broodstock is maintained in the hatchery. Fingerling Arctic grayling are usually 2 to 4 months old and weigh between 1 and 4 g. Arctic grayling fry are less than 2 months old and usually weigh less than a gram. Arctic grayling sac-fry are newly hatched and weigh less than 0.1 g. The Arctic grayling catchable program was suspended after stocking in 2003, however, the catchable program may be reinitiated with the completion of new hatchery facilities expected in 2010.

### Arctic Char

Arctic char are stocked in Interior and Southcentral Alaska lakes. Hatchery Arctic char are produced from eggs taken from a captive broodstock maintained at Fort Richardson Hatchery that descended from fish captured in Bristol Bay (Lake Aleknagik). Numerous sizes of Arctic char are stocked. Catchable Arctic char are 1½ years old and weigh an average of 120 g. Subcatchable Arctic char are 6 months old and weigh between 15 and 60 g. Fingerling Arctic char are usually 4 to 6 months old and weigh between 5 and 10 g.

### Lake Trout

The lake trout stocking program has been dormant since the 2001 stocking season. Lake trout were stocked in a few Interior and Southcentral Alaska lakes. All hatchery lake trout were from eggs taken from a wild fish stocks. The broodstock used was from Seven-mile Lake (Yukon River drainage) near Paxson. No captive broodstock was maintained in the hatchery. Due to the difficulty of conducting a wild egg take and the longevity of this species, eggs were only taken every other year. Two sizes of lake trout were stocked. Catchable lake trout were 1½ years old and weighed an average of 100g. Fingerling lake trout were usually 4 to 6 months old and weighed between 5 and 10g. The lake trout program may be reinitiated with the completion of construction of new hatchery facilities expected by 2010.

### Coho Salmon

Coho salmon are stocked in many Interior and Southcentral Alaska lakes. Sport Fish Division use of coho salmon to stock lakes in Southeast Alaska has been limited. Currently all hatchery-produced coho salmon used for lake stocking are from eggs taken from hatchery-produced adults. Broodstock used may vary depending on availability and may change with completion of new hatchery facilities expected by 2010. Two sizes of coho salmon have been stocked. Fingerling coho salmon are 2 to 4 months old and weigh between 1 and 5g. Subcatchable coho salmon are 1 year old and weigh an average of 23g.

### Chinook Salmon

Chinook salmon are stocked in many Interior and Southcentral Alaska lakes and a few Southeast Alaska lakes. Currently, all hatchery-produced Chinook salmon used for lake stocking are from eggs taken from hatchery-produced adults. Broodstock used may vary

depending on availability and may change with completion of new hatchery facilities expected by 2010. Two sizes of Chinook salmon have been stocked. Catchable Chinook salmon are 1 year old and weigh an average of 100 g. Subcatchable Chinook salmon are 6 to 8 months old and weigh an average of 20 g.

### **GENETIC AND DISEASE CONCERNS**

The release of fish from hatcheries to lakes is governed by two complex policies. The genetic policy (Genetic Policy, Alaska Department of Fish and Game, 1985) was developed to protect the genetic integrity of wild and hatchery stocks. The disease policy (Regulation Changes, Policies and Guidelines for Alaska Fish and Shellfish Health and Disease Control, Alaska Department of Fish and Game, 2003) was developed to prevent the spread of fish diseases to wild and hatchery fish stocks. One area of concern for all categories is the illegal removal and transport of live fish out of stocked lakes for release into other water bodies. To reduce the potential for spreading disease via stocking or illegal fish transfers, hatchery fish are evaluated and approved for release by the pathology section before stocking. The use of pre-release disease evaluations and certified triploids will significantly reduce genetic and disease risks, respectively from illegal fish transfers.

The degree of genetic and pathology concern depends on the species and product (ploidy and sex) of fish stocked and the category of lake. There are minimal genetic or disease concerns with the stocking of any species of fish into a category 1 (landlocked) lake. The fish cannot escape the lake and cause problems with wild fish populations. In addition, there is no outlet to transport water borne pathogens. The primary concern in category 1 lakes is the illegal transport and release by the public to nearby bodies of water.

There are both genetic and disease concerns with stocking fish into category 2 (intermittent outlet), category 3 (certified weired or barriered outlet), and category 4 (flood prone) lakes. Whenever stocked fish escape the lake of origin it is possible that genetic interaction, species range extension or the spread of pathogens could occur. Stockings should be considered for each instance based on episodic floods, certification of the weir structure or barrier along with the species stocked, habitat suitability, and the wild species present as all these factors influence the potential for problems.

Fish stocked in Category 5 (open outlet) lake/stream systems can enter and leave most systems at will, which increases the possibility for genetic interaction, spreading disease, and expanding species range. Stocking fish in lakes with open outlets is generally not acceptable from either a genetics or disease perspective. However, select circumstances exist at some lakes that may ameliorate genetic and disease concerns. This may include barren systems or open systems stocked with sterile fish not expected to compete with or prey upon resident fish.

### **MANAGEMENT CONCERNS**

Management concerns associated with stocked lakes are minimal. No commercial fisheries are involved and there are no conservation concerns with stocked fish. Sport anglers are likely the sole harvesters of fish from the Sport Fish Division lake stocking program, however, subsistence fisheries could develop at some lakes. If this occurs, stocking activity should be evaluated to assure adequate benefit is being derived by sport

anglers to justify continued stocking. Some lake stocking projects may require a change in area sport fishing regulations. Most area regulations are conservative to preserve wild stocks of resident fish. Regulations on stocked

lakes are generally more liberal. Sport anglers are encouraged to harvest hatchery-produced fish and preserve wild stocks of fish. Sport Fish Division will attempt to maintain liberal harvest limits on all stocked lakes. Some stocked lakes now support fisheries where the objective is to provide the opportunity to catch several large fish. Public support for a wide range of "quality" fisheries is increasing and area management personnel are making adjustments to provide a balance among high harvest, mixed species and trophy fishing opportunities.

Other management issues associated with lake stocking are public access and the sale of fish. Production of all hatchery fish is paid for with funds collected from sport anglers. Consequently, no fish should be stocked unless the public has access to catch the fish. Sport Fish Division will not stock fish in a lake unless there is legally designated public access. In addition, Sport Fish Division hatchery produced fish will not be sold to private individuals or groups since the fish were produced with public funds.

## **STOCKING GUIDELINES**

In cases where triploids are required as a condition of permitted stocking activity, triploids must be certified before release. Fish not meeting certification criteria cannot be stocked into lakes approved for triploid stocking only. **All hatchery fish must meet the established ADF&G Fish Health and Disease Control Regulations, Policies and Guidelines at the time of stocking.**

Category 1 lakes within the species range can be stocked with any hatchery product (Table 1). There are minimal genetic or disease concerns. The one concern for all lake categories is the illegal removal and transport of fish out of stocked lakes and into other water bodies. The use of certified triploids significantly reduces the genetic risk from this activity. Therefore, triploids (and for rainbow trout, all-female triploids) should be utilized whenever possible.

Category 1 lakes outside the species range can be stocked with mixed sex or all-female triploid rainbow trout, triploids of any other species, or diploid lake trout, in cases where there is no possibility of the stocked fish creating a natural population. Diploid mixed sex rainbow trout can be used in the rare circumstance that there are no or insufficient triploid rainbow trout available.

Category 2 lakes can be stocked with all-female triploid rainbow trout and may be stocked with triploid fish of any other species and diploid lake trout as long as there is no possibility of the stocked fish interbreeding with native populations or establishing a new population. The life history of lake trout makes it highly unlikely that lake trout will escape the lake, establish a naturally reproducing population and compete with native fish.

Category 3 lakes can be stocked with all-female triploid rainbow trout and may be stocked with triploid fish of any other species and diploid lake trout as long as there is no

possibility of the stocked fish interbreeding with native populations or establishing a new population. The life history of lake trout makes it highly unlikely that lake trout will escape the lake, establish a naturally reproducing population and compete with native fish. Weired category 3 lakes that have been annually certified as a blockage to fish passage can additionally be stocked with mixed sex triploid rainbow trout; and, in the rare circumstance that there are no or insufficient triploid rainbow trout available, diploid mixed sex rainbow trout.

Category 4 lakes can be stocked with all-female triploid rainbow trout and under special circumstances triploid fish of any other species as long as there is limited possibility of the stocked fish attempting to interbreed with native populations.

Category 5 lakes should not be stocked except under special circumstances. Any stocking in a Category 5 system should be solely for creating a significant fishery for species not readily available in the area. If circumstances for stocking arise, all-female triploid rainbow trout and triploid fish of any other species may be stocked into systems that do not contain native fish of the species stocked. Reproduction will not occur.

Table 1: Classification of lakes and recommended stocking products for Sport Fish Division lake stocking projects.

Lake Type <sup>1</sup>	Lake Category <sup>1</sup>	Rainbow Trout			Arctic Grayling			Landlocked Salmon			Arctic char			Lake Trout		
		Mixed-Sex	All-Female		Diploid	Triploid <sup>2</sup> (99%)		Diploid	Triploid <sup>2</sup> (99%)		Diploid	Triploid <sup>2</sup> (99%)		Diploid	Triploid <sup>2</sup> (99%)	
Landlocked/Connected	1	Maybe <sup>8</sup>	Yes	Preferred	Yes <sup>4</sup>	Preferred	Yes <sup>4</sup>	Preferred	Yes <sup>4</sup>	Preferred	Yes <sup>4</sup>	Preferred	Yes <sup>4</sup>	Preferred	Yes <sup>5</sup>	
Intermittent Outlet	2	No	No	Maybe <sup>3,4</sup>	No	Maybe <sup>3,4</sup>	No	Maybe <sup>3,4</sup>	Maybe <sup>3,4</sup>	Maybe <sup>3,4</sup>	No	Maybe <sup>3,4</sup>	Maybe <sup>3,4</sup>	Maybe <sup>3,4</sup>	Maybe <sup>5</sup>	
Weired <sup>6</sup> /Barriered Outlet	3	Maybe <sup>8</sup>	Maybe <sup>7</sup>	Yes <sup>3,4</sup>	No	Yes <sup>3,4</sup>	No	Yes <sup>3,4</sup>	Yes <sup>3,4</sup>	Yes <sup>3,4</sup>	No	Yes <sup>3,4</sup>	Yes <sup>3,4</sup>	Yes <sup>3,4</sup>	Maybe <sup>5</sup>	
Flood Prone	4	No	No	Maybe <sup>3,4</sup>	No	Maybe <sup>3,4</sup>	No	Maybe <sup>3,4</sup>	Maybe <sup>3,4</sup>	Maybe <sup>3,4</sup>	No	Maybe <sup>3,4</sup>	Maybe <sup>3,4</sup>	Maybe <sup>3,4</sup>	No	
Open Outlet	5	No	No	No	No	No	No	No	No	No	No	No	No	No	No	

<sup>1</sup> See Table 2 for definition of terms.

<sup>2</sup> Stocking of triploids in any particular category is based on the level of certification (See stocking guidelines).

<sup>3</sup> Within the species range, it may be stocked only if there is no possibility of the stocked fish interbreeding with native populations.

<sup>4</sup> Outside the species range, it may be stocked only if there is no possibility of the stocked fish establishing a population.

<sup>5</sup> The life history of this fish makes it highly unlikely that fish will escape the lake, establish a naturally reproducing population and/or interbreed with native fishes.

<sup>6</sup> Lakes with a man-made weir must be periodically certified (i.e., pass a test for fish blockage) to be considered category 3 lakes. The recommended period for certification is annually prior to stocking. Weired category 3 lakes that do not pass certification for fish blockage cannot be considered weired category 3 lakes.

<sup>7</sup> Weired lakes that are certified for blockage may have all-female diploid rainbow trout stocked into them. Birch Lake in interior Alaska and Cheney Lake in southcentral Alaska are examples of lakes that are certified for fish blockage.

<sup>8</sup> Diploid rainbow trout may only be stocked into category 1 lakes, and weired and certified category 3 lakes in rare circumstances when no all-female diploid or mixed sex triploid rainbow trout products are available.

**Table 2. Definition of terms used for lake classification and stocking products.**

Lake Type	Definition
Landlocked	There is no outlet; fish cannot escape lake.
Connected Lakes	Two or more lakes connected by streams, but no outlet for lowest lake in the drainage. Fish cannot escape lowest lake.
Intermittent Outlet	Lake is usually landlocked, but fish can escape if high water flows occur.
Weired	Outlet stream is blocked by man-made structure. Fish cannot escape unless weir fails or is compromised. A lake is considered weired if it is periodically certified (i.e., passes a test of blockage). The recommended certification period is annually prior to stocking. Otherwise it is considered intermittent, flood prone, or open as per these definitions.
Barriered Outlet	Outlet stream is blocked by natural structure. Fish cannot usually pass through the barrier and survive.
Flood Prone	Lake is landlocked, but is subject to flooding during high water periods. Fish can escape during floods.
Open Outlet	Lake has outlet stream and fish can move into and out of lake.

Lake Category	Definition
Category 1	Lakes are truly landlocked and fish cannot exit the system. There is no interaction with any wild fish populations except those indigenous to the lake. Few restrictions on fish stocking.
Category 2	Lakes with an intermittent outlet. Snowmelt during heavy snow years may fill lake basin and create a small outlet stream. Fish may periodically escape from a Category 2 lake and compete with wild fish populations. However, the incidence of stocked fish escapement is low. The danger to wild fish populations is also low. Moderate restrictions on fish stocking.
Category 3	Includes weired lakes and lakes with barriered outlets. Fish may periodically escape from a category 3 lake and compete with wild fish populations. However, the incidence of stocked fish escapement is low. The danger to wild fish populations is also low. The primary concern with Category 3 systems is the passage of pathogens from stocked fish to wild fish. Moderate restrictions on fish stocking.
Category 4	Lakes are flood prone. These are small lakes or ponds usually located in the floodplain of a stream and subject to flooding during high stream water flows. Fish can leave the system during flood periods. Moderate to severe restrictions on fish stocking.
Category 5	Lakes with open outlets. Fish are free to pass in and out of the system at will. Stocking not recommended. Stocking may occur under severe restrictions.

Table 2.-Continued.

Stocking Products	Definition
Mixed-Sex Mixed-Sex Triploid	These are normal fish that are capable of reproduction. These fish have been genetically altered so that most fish are sterile and cannot reproduce. Populations with triploidy rates <100% will contain some fish capable of reproduction. The certification rate for mixed-sex triploids is 95% confident that the triploid rate is 99% or higher.
All-Female Triploid	These fish have been genetically altered so that all the fish are females, sterile, and cannot reproduce. The certification rate for all-female triploid rainbow trout is 95% confident that the triploid rate is 90% or higher.
All-Female Diploid	These fish are capable of reproduction, but a naturally producing population of fish cannot be established because all fish are female.
Drainage	All of the waters comprising a watershed, including tributary rivers, streams, sloughs, ponds and lakes which contribute to the supply of the watershed.

#### REFERENCES

Alaska Statutes Title 16 Chapter 5. Alaska Department of Law. Juneau, Alaska. Genetic Policy. 1985. Alaska Department of Fish and Game. 333 Raspberry Road, Anchorage, Alaska.

Meyers, T.R. 2003. Regulation Changes, Policies and Guidelines for Alaska Fish and Shellfish Health and Disease Control. Regional Information Rpt. No. 5J03-07. Alaska Department of Fish and Game, Commercial Fisheries Division, Juneau, AK

Statewide Stocking Plan for Recreational Fisheries. 2007. Alaska Department of Fish and Game, Sport Fish Division. 333 Raspberry Road, Anchorage, Alaska.

<http://www.sf.adfg.state.ak.us/Statewide/hatchery/index.cfm/FA/stocking.plan>

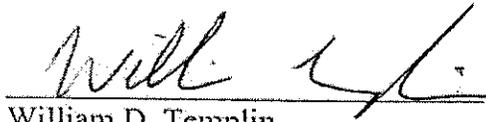
**DIVISION OF SPORT FISH**

**LAKE STOCKING POLICY**

Reviewed by:

  
Ted Meyers  
Chief Fish Pathologist

4/7/08  
Date

  
William D. Templin  
Principal Geneticist

4/14/08  
Date

This policy has been thoroughly reviewed by Sport Fish Division staff in all regions of the State in addition to the state's Genetics and Pathology staff. This policy is approved as an official policy of the Alaska Department of Fish and Game, Sport Fish Division. This policy must be reviewed again in 2012 prior to initiation of stocking from any new

Sport Fish Division hatchery facilities.

  
Charles O. Swanton  
Director  
Sport Fish Division

4/7/08  
Date

# **ADF&G Sport Fish Hatchery Triploid Fish Production**

April 2, 2008

Prepared by Diane Loopstra

## **What are triploid fish?**

Triploid fish have cells with three sets of chromosomes. Normally, fish—like humans—are diploid with only two sets of chromosomes.

## **Why does ADF&G stock triploid fish?**

Because triploids are sterile, stocking triploid fish protects the genetic integrity of wild fish populations and prevents the establishment of new breeding populations. If stocking results in adverse effects on wild fish, such as competition for resources or predation, the stocking can be suspended and the adverse effects will disappear when the stocked fish die out.

Because of the potential risks to wild fish populations of stocking hatchery fish, if we did not have sterile fish, we would not be allowed to stock in many sites.

## **Are triploid fish safe to eat?**

Yes. Triploid fish have been produced for sport fishing and commercial use for over 20 years. Local grocers sell triploid Atlantic salmon and rainbow trout. Triploid production is common not only with fish, but also in many other foods found in our grocery stores. Examples of common triploid food items include all bananas and seedless watermelons.

## **Do triploid fish look or taste different than diploid fish?**

No. Except for the lack of eggs in the females and the delayed development of testes in the males, triploid and diploid fish look and taste the same.

## **Is a triploid fish a genetically modified organism (GMO)?**

No. GMOs are organisms whose genetic material has been altered using genetic engineering techniques that involve inserting DNA from other organisms. Triploids do not have any inserted DNA from other sources; they simply have a third set of chromosomes (two sets from one parent and one set from the other parent).

## **How do fish become triploid?**

Fish culturists apply a heat or pressure shock to fertilized fish eggs. This shock interrupts cell division during early egg development and causes the cells to retain a third set of chromosomes. The third set of chromosomes renders the fish sterile. Triploid fish do rarely occur in nature.

## **Are triploid fish exposed to additional chemicals at the hatchery?**

No. Triploid fish are exposed to the same environment as all other hatchery fish.

**Are triploid fish stocked in other states?**

Yes. Many agencies in the lower 48 stock triploid fish for the same conservation reasons we do.

**Where are triploid fish stocked?**

ADF&G originally stocked triploid fish into non-landlocked release sites but has recently expanded the triploid fish stocking program to include landlocked lakes previously stocked with diploid fish.

**Why discontinue stocking diploid fish into landlocked lakes?**

People illegally transfer stocked fish to other locations. Illegally transferred diploid fish could put the genetic integrity of native fish populations at risk and/or establish new populations that might compete for food and rearing habitat or predate on wild fish.

**Does ADF&G release triploid smolt?**

No. ADF&G regulates smolt stockings (fish that migrate to sea and return as adults for harvest) so that competition and genetic interaction with wild stocks are not concerns. If ADF&G determines stocked smolt are impacting wild fish populations, they will discontinue the stocking project until the conflict is resolved.

**Which species of fish are stocked as triploids?**

ADF&G began stocking all-female triploid rainbow trout in 1991, mixed-sex triploid Arctic char and Arctic grayling in 2006, and mixed-sex triploid coho salmon in 2007. ADF&G plans to stock mixed-sex triploid Chinook salmon into lakes as well.

**Why are some populations all female while others are mixed sex?**

The methods used to produce triploids results in different levels of triploidy rates depending on the species. For rainbow trout, triploidy rates are typically between 98% and 99%, whereas the triploidy rates for Arctic char, Arctic grayling, and coho salmon approach 100%. To insure that the few diploids that remain in the rainbow trout do not establish new populations, we also make sure that the rainbow trout are all female.

**How do populations of fish become all female?**

Fish culturists feed a few hundred female rainbow trout testosterone-treated feed (less than 15 milligrams of hormone is used per year) during the first 2-3 months of rearing. These fish develop testes instead of ovaries, but because they are genetically female their sperm cells contain only X chromosomes. We call these

fish XX males. We use the sperm from these XX males to fertilize eggs which makes the offspring all female. *All XX males are killed during spawning and buried in a sanitary landfill.*

**Are hormone-treated fish released to lakes or streams?**

No. ADF&G *never* releases hormone-treated fish.

Table 114-1.-Total number of stocked waters in Regions I, II, and III, number stocked with all female triploid (AF 3Na) fish, and number stocked with mixed sex diploid (MX 2Nb) fish (percent of total shown in parentheses). Stockings listed do not include anadromous releases.

	2004	2005	2006	2007	2008	2004-2008 average
<b>Region I</b>						
Total Number of Stocked Waters	2 <sup>c</sup>	0	0	0	0	-
Number Stocked with AF 3N Fish	2 <sup>c</sup> (100%)	0	0	0	0	-
Number Stocked with MX 3N Fish	0	0	0	0	0	-
<b>Region II</b>						
Total Number of Stocked Waters	147	147	136	126	128	137
Number Stocked with AF 3N Fish	74 (50%)	84 (57%)	60 (44%)	63 (50%)	79 (62%)	72 (53%)
Number Stocked with MX 3N Fish	2 (1%)	0	2 (1%)	14 (11%)	3 (2%)	4 (3%)
<b>Region III</b>						
Total Number of Stocked Waters	116	65	86	71	95	87
Number Stocked with AF 3N Fish	40 (34%)	24 (37%)	24 (28%)	28 (39%)	35 (37%)	30 (34%)
Number Stocked with MX 3N Fish	0	0	5 (6%)	13 (18%)	8 (8%)	5 (6%)

<sup>a</sup>Species of all female triploid fish produced by ADF&G Sport Fish hatcheries include rainbow trout (*Oncorhynchus mykiss*).

<sup>b</sup>Species of mixed sex triploid fish produced by ADF&G Sport Fish hatcheries include Arctic char (*Salvelinus alpinus*), Arctic grayling (*Thymallus arcticus*), and Coho salmon (*Oncorhynchus kisutch*).

<sup>c</sup>All female rainbow trout eyed eggs were transferred to Deer Mountain Hatchery in Ketchikan and resulting fingerling were stocked into two lakes. The program switched to using local steelhead in 2004 and ADF&G Sport Fish Hatcheries have not been involved in the project since.

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**PROPOSAL 115 - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.**

Amended language for proposal 115. .... 112  
Figure 115-1.-Location of Upper Copper Upper Susitna Management Area (UCUSMA)  
stocked waters, waters to be added, and waters to be removed..... 113

**AMENDED LANGUAGE.**

(28) in stocked waters [LAKES], the bag and possession limit for rainbow/steelhead trout, Arctic char/Dolly Varden, landlocked salmon, and Arctic grayling is 10 fish in combination, of which only one may be greater than 18 inches in length; for the purposes of this paragraph “stocked waters [LAKES]” include Arizona Lake, Buffalo Lake, Connor Lake, Crater lake, Dick Lake, DJ Lake, Gergie Lake, John Lake, Junction Lake, Kathleen Lake, Little Crater lake, Little Junction Lake, North Jans Lake, Old Road Lake, Peanut Lake, Pippin Lake, Round lake, Ryan Lake, Sculpin Lake, Silver Lake, Strelna Lake, South Jans Lake, Squirrel Creek Pit Lake, Tex Smith lake, Three Mile Lake, Tolsona Lake, Tolsona Mountain Lake, [TOWN LAKE], Two Mile Lake, and Van Lake.

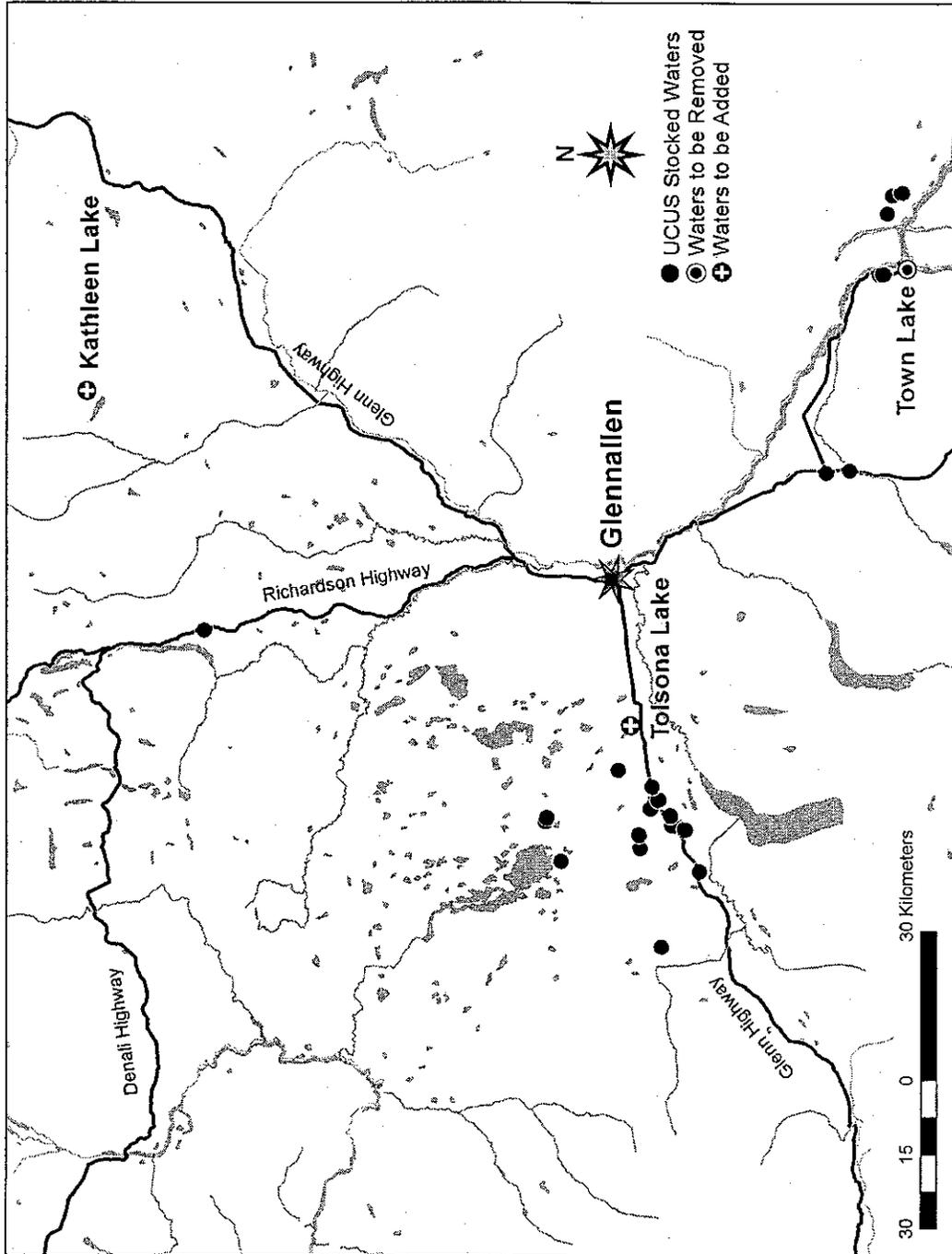


Figure 115-1.-Location of Upper Copper Upper Susitna Management Area (UCUSMA) stocked waters, waters to be added, and waters to be removed.



## Division of Subsistence

### **Deliberation Materials for Committee A, Prince William Sound and Copper River Subsistence and Personal Use, Prepared for the December 2008 Meeting of the Alaska Board of Fisheries**

Part A Proposal 1

Part B Proposal 2

Part C Proposal 3

Part D Proposal 4

Part E Proposals 5, 6, 7, and 10

Part F Proposal 21

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December 2008

Alaska Department of Fish and Game

Division of Subsistence



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**PART A  
PROPOSAL 1**

**PAPER COPY OF POWERPOINT PRESENTATION WITH PROPOSAL BACKGROUND.**

	<p>Proposal 1 Customary and traditional uses of fish stocks.</p>
	<p>5 AAC 01.616</p> <p>Prepared for the Alaska Board of Fisheries December 2008</p>

## Proposal 1

The proposal would establish a positive customary and traditional (c&t) use determination for the salmon stocks of the Chitina Subdistrict and, consequently, change the classification of the Chitina Subdistrict dip net fishery from a personal use fishery to a subsistence fishery.

**Department Recommendation: Neutral**

2



	<h2>Alaska Statute regarding customary and traditional use findings</h2>
	<ul style="list-style-type: none"><li>■ Under AS 16.05.258 (a) the Board of Fisheries must identify fish stocks, or portions of stocks, that are customarily and traditionally taken or used for subsistence.</li><li>■ AS 16.05.940 (7) defines "customary and traditional" as "the non-commercial, long-term, and consistent taking of, use of, and reliance upon fish or game in a specific area and the use patterns of that fish or game that have been established over a reasonable period of time taking into consideration the availability of the fish or game."</li></ul>

	<h2>Joint Boards of Fisheries and Game Subsistence Procedures</h2>
	<ul style="list-style-type: none"><li>■ The Board of Fisheries applies 5 AAC 99.010 – the Joint Board’s c&amp;t procedures (the “8 criteria”) - to determine whether fish stocks are taken or used for subsistence purposes.</li></ul>

## Current State Regulations

5 AAC 01.616

- (a) (1) The board found that salmon stocks in the Glennallen Subdistrict of the Upper Copper River District are customarily and traditionally taken or used for subsistence.

The board has found that the salmon stocks in the Chitina Subdistrict of the Upper Copper River District do not support customary and traditional uses (a negative c&t finding).

**5 AAC 77.591**

Because of the negative c&t finding for the salmon stocks in the Chitina Subdistrict, the Board provides a harvest opportunity through a personal use dip net fishery.

6

## Background: Chitina Subdistrict c&t findings

- Until 1977, the Glennallen and Chitina subdistricts were not separated; fishing with dip nets and fishwheels took place under subsistence regulations.
- In 1977, Glennallen and Chitina Subdistricts separated in regulation.
- In 1978, the first state subsistence law defined subsistence uses as "customary and traditional."
- In 1984, the Board first applied the 8 criteria to upper Copper River fisheries. It made a negative c&t finding for the Chitina Subdistrict and converted regulations to personal use.

7

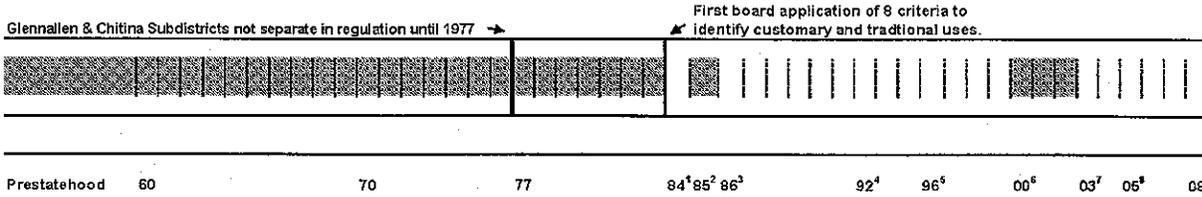
	<h2>Background: Chitina Subdistrict c&amp;t findings, continued</h2>
	<ul style="list-style-type: none"><li>■ Due the <i>Madison</i> decision, the Chitina fishery temporarily operated under subsistence regulations again in 1985.</li><li>■ With the passage of a new subsistence law in 1986, the Chitina fishery was again a personal use fishery.</li><li>■ In 1992, following the passage of a new subsistence law, the Board affirmed its previous negative c&amp;t finding for the Chitina Subdistrict salmon stocks.</li><li>■ In December 1996, the Board rejected Proposal 50, affirming the negative c&amp;t finding.</li></ul>

## Background: Chitina Subdistrict c&t findings, continued

- In 1999, the board adopted Proposal 44, making a positive c&t finding for Chitina salmon stocks. For 3 years (2000, 2001, 2002), the fishery operated as a subsistence fishery.
- In February 2003, based on new information, the Board adopted Proposal 42, making a negative c&t finding; again, the fishery operated under personal use regulations.
- In December 2005, during deliberations on Proposal 3, the Board determined that it had received no significant new information to warrant reexamination of the c&t finding.

## Regulatory Classification of Chitina Subdistrict Salmon Fishery: Pre-statehood to 2008

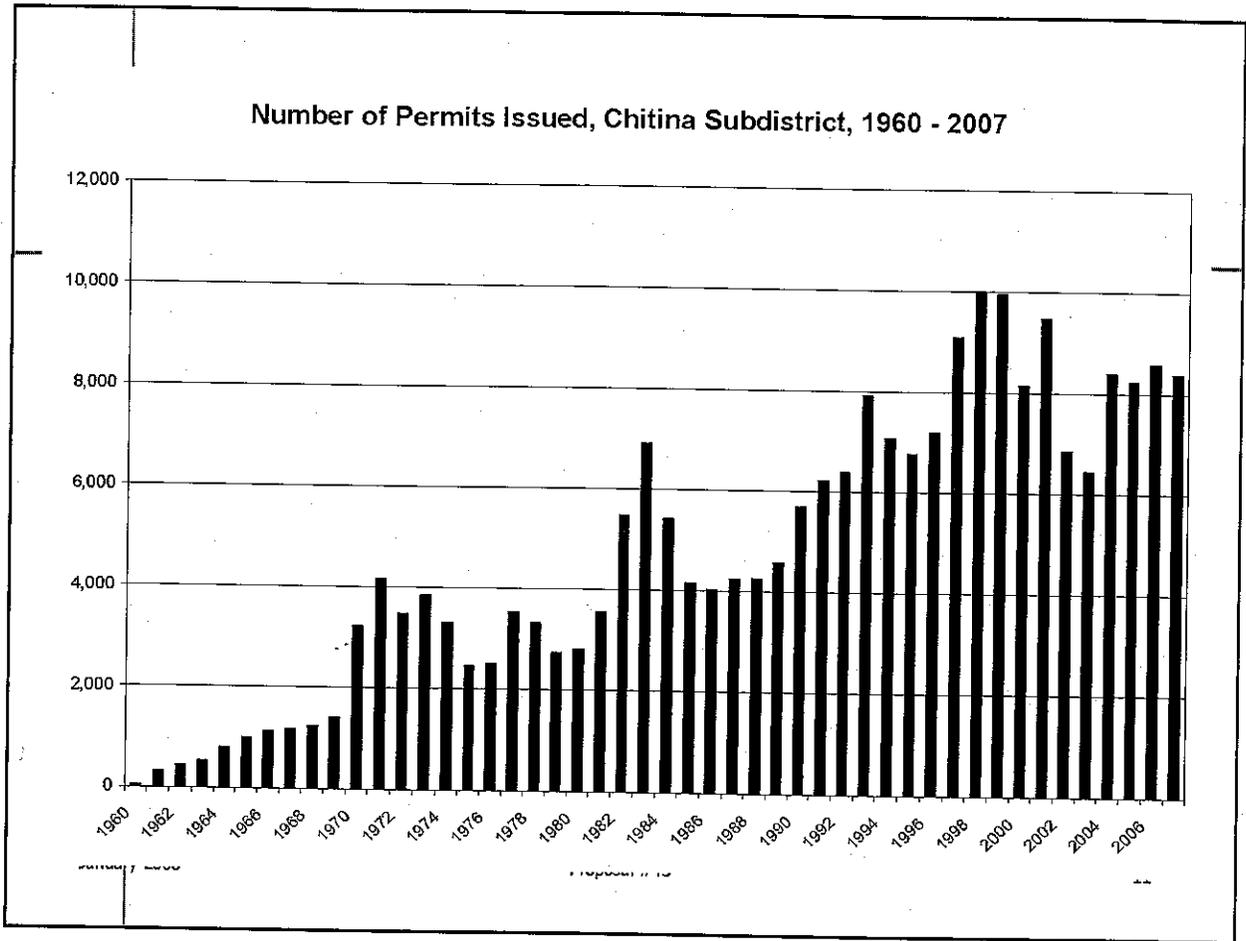
= classified as a subsistence fishery     
  = classified as a personal use fishery



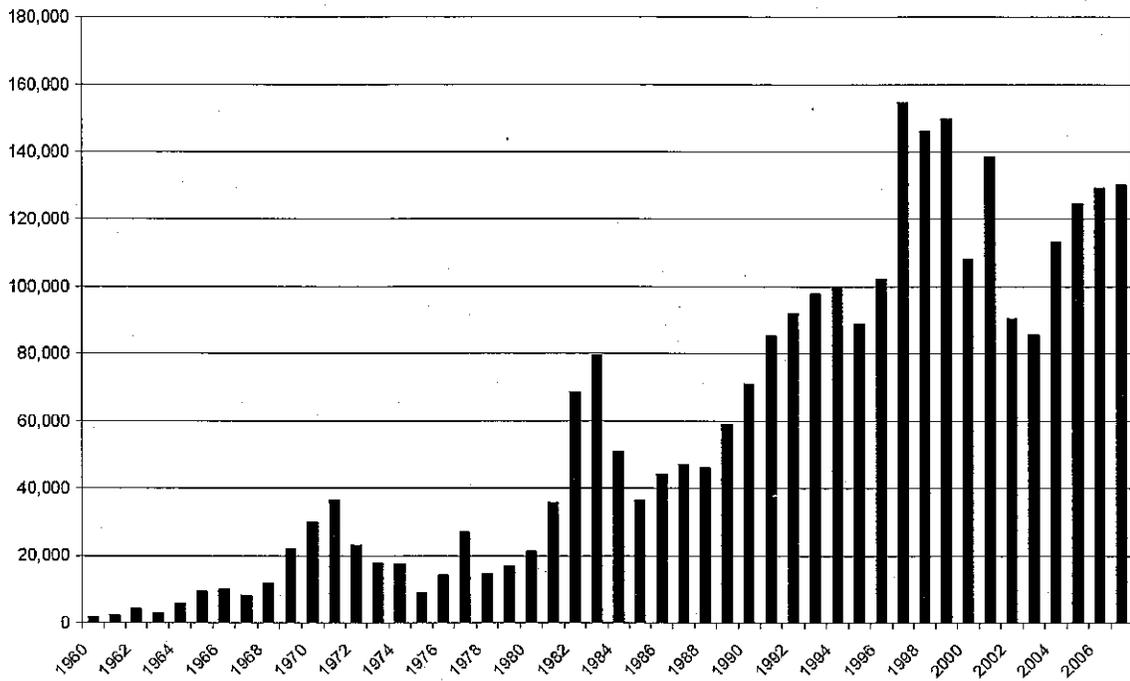
**Key regulatory and court actions concerning classification of the Chitina Subdistrict salmon fishery as subsistence or personal use:**

- <sup>1</sup> 1984: Alaska Board of Fisheries found that the Chitina Subdistrict salmon stocks were not subject to customary and traditional use.
- <sup>2</sup> Following Madison decision, regulations governing subsistence fishing in the Copper River reverted to those in effect prior to 1984, for 1985 only
- <sup>3</sup> Following passage of 1986 subsistence statute, the 1984 negative c&t finding for Chitina Subdistrict stocks was again in effect.
- <sup>4</sup> Following passage of 1992 subsistence statute, the Board of Fisheries affirmed negative c&t finding for Chitina Subdistrict salmon stocks.
- <sup>5</sup> Board of Fisheries rejected Proposal 50, thus affirming 1984 negative c&t finding.
- <sup>6</sup> In December 1999, the Board adopted Proposal 44, finding that the Chitina subdistrict salmon stocks were subject to customary and traditional use.
- <sup>7</sup> Board of Fisheries adopted Proposal 42, finding that Chitina Subdistrict salmon stocks were not subject to customary and traditional use.
- <sup>8</sup> Regarding Proposal 3, the Board found that no significant new information was available to warrant reexamination of c&t finding

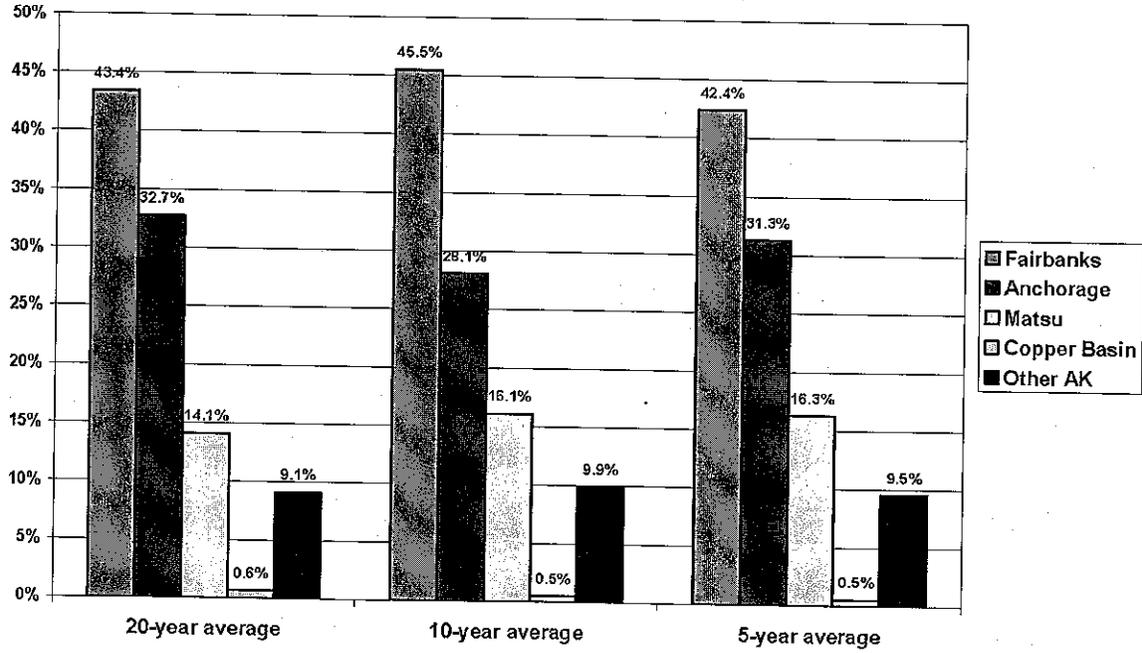
Prepared by: Alaska Department of Fish and Game, Division of Subsistence; February 2003; updated December 2005 and December 2008



Harvest of Salmon, Chitina Subdistrict, 1960 - 2007



Percentage of Permit Holders by Area of Residence, Chitina Subdistrict Dip Net Fishery, 1988 - 2007



## Other Available Information

- The C&T worksheet from the 2003 meeting, a supplemental ADF&G report with new information provided in 2003, and a copy of the PowerPoint presentation from 2003 are included as a staff report.
- These reports were also provided to the board, without changes, at the 2005 meeting.
- In 2005, the board determined that no new relevant information had been provided.
- ADF&G has no significant new information for the 2008 meeting to provide for a reexamination of the c&t analysis of the Chitina Subdistrict salmon stocks.
- The reports from 2003 remain accurate descriptions of the use patterns of Chitina Subdistrict salmon.

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## Effect of the Proposal

- If the board finds that there is new relevant information available, and applies the 8 criteria, and changes the current c&t finding for Chitina Subdistrict salmon stocks from negative to positive, the fishery would change from a personal use to a subsistence fishery (AS 16.05.258(a) & (b)).
- The board, under AS 16.05.258 (b) would need to determine the amount of the harvestable surplus of salmon that is reasonably necessary to provide opportunities for subsistence uses (ANS finding).
- The board, under AS 16.05.258 (b) would be required to adopt regulations to provide a reasonable opportunity for subsistence uses of Chitina Subdistrict salmon stocks.
- If harvestable surpluses cannot support reasonable opportunities for subsistence uses and all other consumptive uses, the Board must restrict or eliminate other uses before restricting subsistence opportunities (AS 16.05.258(b)).

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## Considerations

- Since 1984, the Board has reviewed the c&t status of the salmon stocks of the Chitina Subdistrict seven times (1984, 1986, 1992, 1996, 1999, 2003, and 2005).
- 2008 is the fifth consecutive Prince William Sound regulatory board meeting during which the c&t status of the Chitina Subdistrict salmon stocks has been addressed by one or more proposals.
- In six of the seven previous considerations, the board has determined that the salmon stocks of the Chitina Subdistrict do not support customary and traditional uses. In one previous review (1999), the board made a positive c&t finding; the two most recent findings have been negative.

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## Considerations, continued

- Department permit data suggest that the use patterns of the Chitina Subdistrict salmon stocks, in terms of number of participants, origin of participants, and harvests have not changed significantly since the last Board review in 2005.
- The department has no significant new information relevant to the 8 criteria review of the use patterns of the Chitina subdistrict salmon stocks.
- The staff reports provided to the board in 2003 and 2005 are accurate descriptions of these use patterns.

## Proposal 1 - Summary

- The proposal would establish a positive customary and traditional (c&t) use determination for the salmon stocks of the Chitina Subdistrict and thereby change the classification of the Chitina Subdistrict dip net fishery from a personal use fishery to a subsistence fishery.

Department Recommendation: Neutral; first determine if there is significant new information to warrant re-examination of the c&t finding; if yes, make a c&t finding, by applying 5 AAC 99.010 (the 8 criteria) based upon previous staff reports and the new information.

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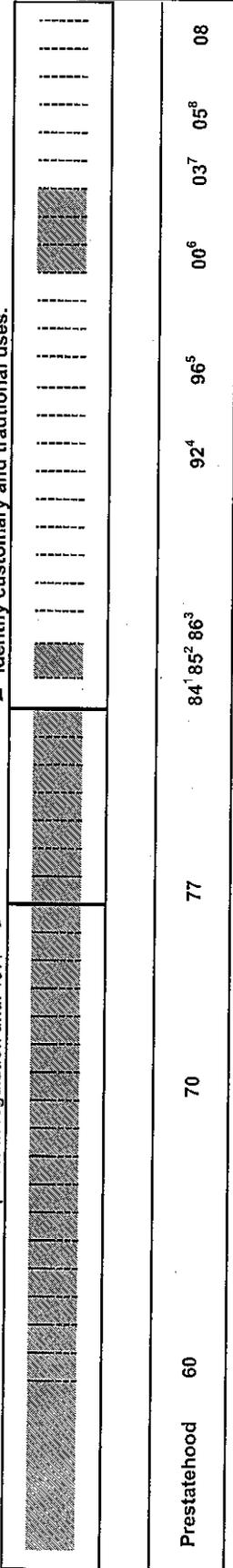
**UPDATED TIMELINE**

**Regulatory Classification of Chitina Subdistrict Salmon Fishery:  
Pre-statehood to 2008**

 = classified as a subsistence fishery       = classified as a personal use fishery

First board application of 8 criteria to identify customary and traditional uses.

Glennallen & Chitina Subdistricts not separate in regulation until 1977 →



Key regulatory and court actions concerning classification of the Chitina Subdistrict salmon fishery as subsistence or personal use:

- 1 1984: Alaska Board of Fisheries found that the Chitina Subdistrict salmon stocks were not subject to customary and traditional use.
- 2 Following Madison decision, regulations governing subsistence fishing in the Copper River reverted to those in effect prior to 1984, for 1985 only
- 3 Following passage of 1986 subsistence statute, the 1984 negative c&t finding for Chitina Subdistrict stocks was again in effect.
- 4 Following passage of 1992 subsistence statute, the Board of Fisheries affirmed negative c&t finding for Chitina Subdistrict salmon stocks.
- 5 Board of Fisheries rejected Proposal 50, thus affirming 1984 negative c&t finding.
- 6 In December 1999, the Board adopted Proposal 44, finding that the Chitina subdistrict salmon stocks were subject to customary and traditional use.
- 7 Board of Fisheries adopted Proposal 42, finding that Chitina Subdistrict salmon stocks were not subject to customary and traditional use.
- 8 Regarding Proposal 3, the Board found that no significant new information was available to warrant reexamination of c&t finding

Prepared by: Alaska Department of Fish and Game, Division of Subsistence; February 2003; updated December 2005 and December 2008

**PART B  
PROPOSAL 2**

	<p><b>Proposal 2</b> <b>Customary and traditional</b></p>
	<p><b>uses of fish stocks.</b> <b>5 AAC 01.616</b></p> <p>Prepared for the Alaska Board of Fisheries December 2008</p>

Prepared for the  
Alaska Board of Fisheries  
December 2008

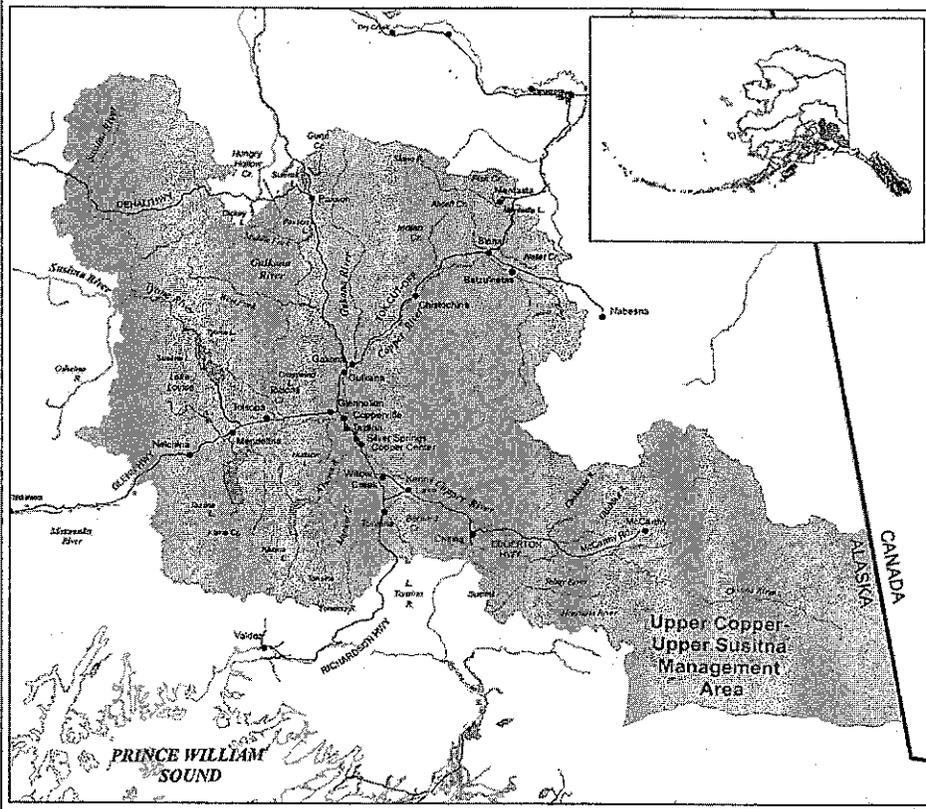
	<p><b>Customary and Traditional Worksheet, Determine customary and traditional use of resident fish species in the Upper Copper / Upper Susitna Rivers.</b></p>

## Proposal 2

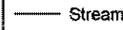
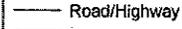
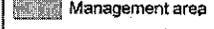
- This proposal would establish positive customary and traditional use determination for resident fish species (rainbow trout, steelhead, Arctic char/Dolly Varden, Arctic grayling, burbot, lake trout, whitefish, northern pike, and other non-salmon finfish) in the upper Copper and upper Susitna River drainages.

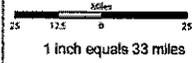
**Department Recommendation: Neutral**

3



### Upper Copper/ Upper Susitna Drainages

-  Lake
-  Stream
-  Road/Highway
-  Management area



## **Effect of the Proposal:**

- There would be a positive customary and traditional use determination for resident fish in the Upper Copper River/Upper Susitna river area.
- If not adopted, a negative finding would result in all subsistence fishing of stocks under consideration being prohibited.

5

## Current State Regulations

- In the Prince William Sound Subsistence Management area, freshwater fish may be taken only under the authority of a subsistence fishing permit issued by the department. Rainbow trout and steelhead trout taken incidentally in finfish net gear, except dip net, may be retained for subsistence purposes.

6

## **State Regulations, Cont.**

- In the Cook Inlet Management Area (that includes the Upper Susitna River), gillnets may not be used except for the harvest of whitefish in the Tyone River for which a permit is required. Trout, grayling, char and burbot may not be taken in freshwater. Rainbow trout and steelhead taken in subsistence finfish fisheries, or through the ice may be retained for subsistence purposes.

7

## **State Subsistence Procedures**

- Is there Customary and Traditional Use of resident species fish in the Upper Copper/Upper Susitna River area? No determination has been made.
- Is there a "Harvestable Surplus" of resident species fish in this area? Yes
- There is no finding for an Amount Reasonably Necessary for Subsistence.
- Does the harvestable surplus allow for all or only some uses? This is a Board determination.

8

## Why is a C&T finding necessary?

- Sec. 16.05.258 Subsistence use and allocation
- 5 AAC 99.010 Joint Board of Fisheries and Game subsistence procedures
- Both state law and board procedure identify making a C&T finding a *first* step in the regulatory process

9

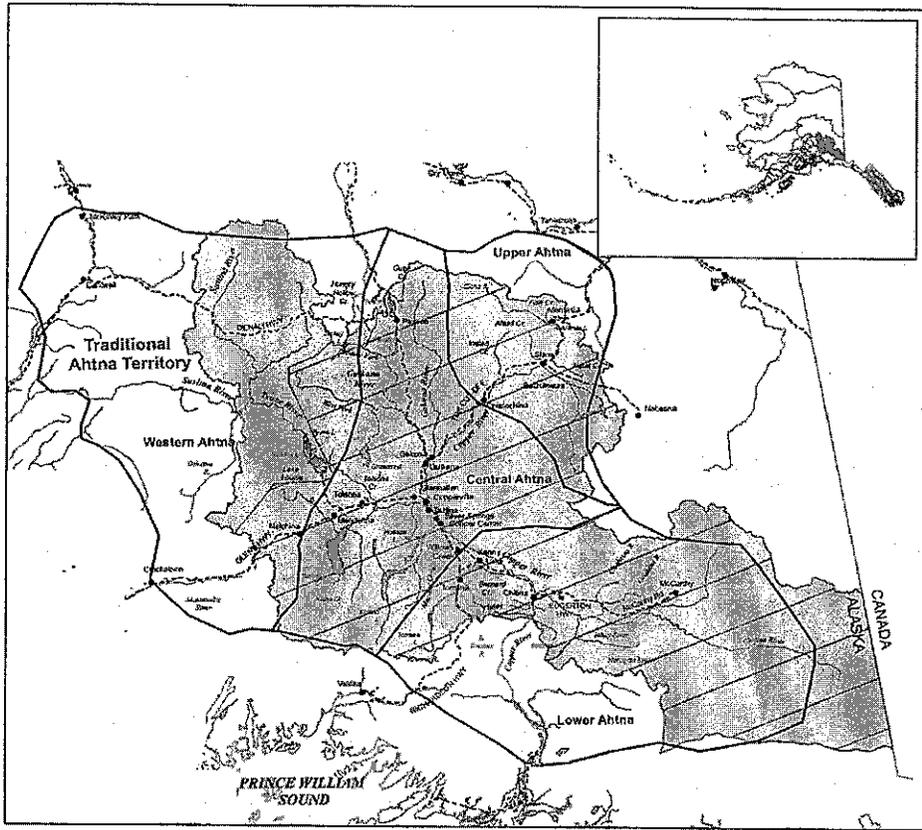
# Harvest and Use Patterns

## ■ 5 AAC 99.010 "Eight Criteria" Key Elements

1. Length and consistency of use
2. Seasonality
3. Means and method of harvest
4. Geographic area
5. Means of handling, storing, preparing, preserving and storing
6. Transmission of knowledge, skills and lore
7. Distribution and exchange
8. Contribution to a subsistence way of life

10

	<b>Subsistence uses of resident fish</b>
	species in the upper Copper and upper Susitna river drainages originated with the area's indigenous inhabitants, the Ahtna group of Athabaskan people.



**Figure 1.**  
**Upper Copper/  
Upper Susitna  
River Drainages**

-  Upper Copper/  
Upper Susitna  
Sport Fish  
Management Area
-  Traditional Ahtna  
Territory
-  Prince William Sound  
Management Area,  
Upper Copper River  
Subsistence District  
5 AAC 01.605

0 15 30  
Miles  
1 Inch equals 39 miles



Source: ADFG Division of Subsistence, including data compiled from ADFG Division of Sport Fisheries.  
Disclaimer: This map is for illustrative purposes and was compiled using data believed to be accurate; however, a degree of error is inherent in all maps. Detailed textual descriptions for specific locations represented herein are found at 5 AAC 01.600 and 5 AAC 01.605.

# 1. Length and consistency of use

- Historically non-salmon fish species were critical to the Ahtna economy. Ahtna elders estimated their families harvested hundreds of pounds of resident fish species annually.
- Subsistence regulations have allowed harvests since statehood
- Household surveys conducted in 1982, 1987 and 2002 show that Copper Basin residents continued to harvest resident species fish, but a lower levels.

13

## Resident species fish harvest in pounds, by community, Copper River Basin

Communities	1982	1987	2001
Lake Louise	2,027	946	2,214
Chistochina	512	925	354
Kenny Lake	575	2,822	976
Gulkana	534	322	310
Glennallen	2,138	3,330	1,147
Gakona	1,075	1,291	1,591
Mentasta	416	1,643	952
Copper Center	1,161	1,557	2,484

Sources: ADF&G Community Subsistence Information Systems, Household Survey 2002

14

**Percentage of households using resident species fish, Copper River Basin Communities**

<b>Communities</b>	<b>1982</b>	<b>1987</b>	<b>2001</b>
Chistochina	63%	78%	66%
Chitina	65%	83%	43%
Copper Center	44%	78%	47%
Gakona	91%	69%	58%
Glennallen	58%	62%	38%
Gulkana	44%	70%	54%
Kenny Lake	66%	88%	59%
Lake Louise	100%	100%	90%
McCarthy	76%	88%	53%
Mentasta	89%	83%	75%
Slana	81%	86%	88%
Tazlina	N/D	51%	38%
Tonsina	80%	68%	38%

Sources: ADF&G Community Subsistence Information System; Household survey 2002

15

## 2. Seasonality

- Historically the Ahtna harvested whitefish and grayling in the spring and fall. Burbot, steelhead, and lake trout were taken in winter using a hand line or a spear. The same seasonal pattern is followed by Copper Basin residents today.

16

### **3. Means and methods of harvest**

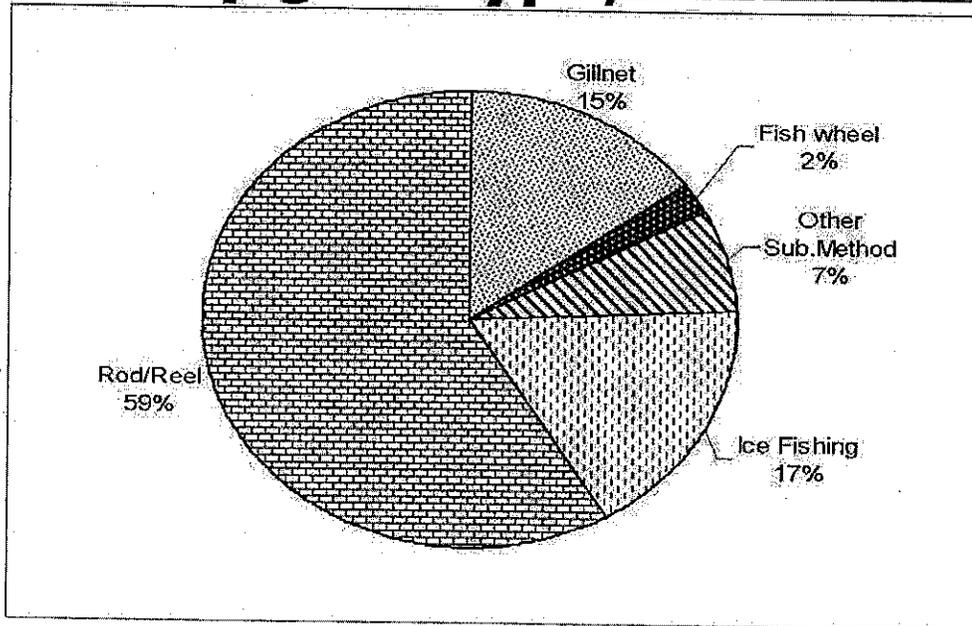
**Historically the Ahtna harvested whitefish and grayling with fish traps, dip nets, or with spears. Burbot, lake trout, and steelhead were harvested using spears or hand held lines.**

## **Means and Methods (continued)**

- Household surveys conducted in 1982, 1987 and 2001 indicate that most resident fish species are caught with rod and reel under sport regulations. Most whitefish are harvested with spears under sport regulations or taken in gill nets under subsistence permit.

18

# Combined community harvests for resident species fish by gear type, 2001



19

## 4. Geographic areas

Many of the same fishing locations used by the Ahtna historically are used by fishers today. Most are located along the highway system and only a few are located on federal land, including Tanada Lake, Nelson Lake, Silver Lake, and Strelna Lake. Fishermen traveling on snow machines in winter most frequently fish lakes off the road system.

20

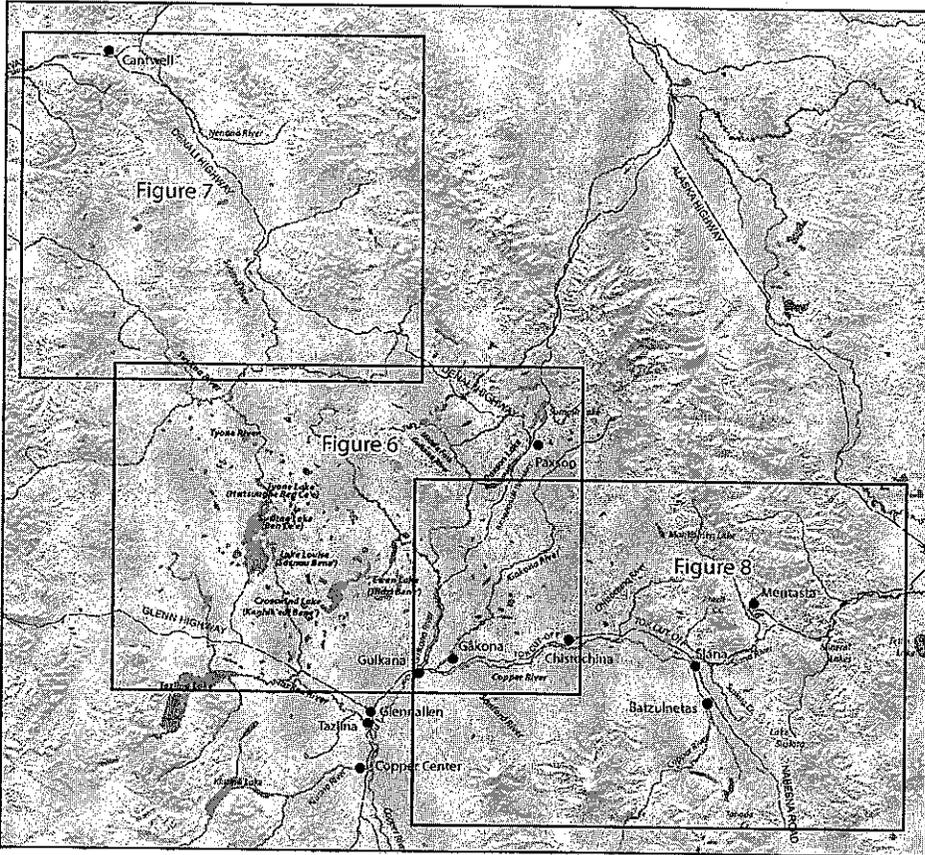
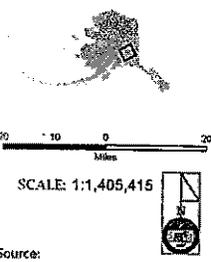


Figure 5.  
Location of Known  
Historical Ahтна  
Fishing Sites  
Upper Copper and  
Upper Susitna Rivers



SCALE: 1:1,405,415

Source:  
Division of Subsistence, ADF&G  
Household Interviews. See Division  
of Subsistence Technical Paper No.  
292, The Harvests and Uses of Non-  
salmon Fish Species in the Copper  
River Basin, Alaska, for background  
on sample sizes and mapping  
methods.

## **5. Means of handling, preparing, preserving, and storing**

- Historically, whitefish were either dried or frozen, Grayling were eaten fresh or were frozen as were burbot, lake trout, and steelhead. Today most resident species fish are eaten fresh. The exception is whitefish, which are sometimes dried.

22

## **6. Transmission of knowledge, skills and lore**

- Stories of giant resident species fish are prominent in Ahtna oral tradition.
- Fishing for resident species fish is often a family activity. Children are often involved in the harvest during which skills and values (such as sharing) are learned.

23

	Community	Percent	Percent
		Fishing	Processing
<b>Transmission of knowledge, skills and lore (continued)</b>  <b>Percentage of population harvesting, or processing resident species fish, Copper Basin communities 2001</b>	Chistochina	26.6%	23.4%
	Chitina	51.2%	43.9%
	Copper Center	37.7%	21.9%
	Gakona	53.8%	26.2%
	Glennallen	30.5%	13.8%
	Gulkana	42.9%	38.1%
	Kenny Lake	53.5%	32.6%
	Lake Louise	56.5%	34.8%
	McCarthy/ Mc. Road	47.0%	50.0%
	Mendeltna	46.7%	20.0%
	Mentasta	63.2%	62.1%
	Nelchina	38.6%	21.1%
	Paxson	55.6%	27.8%
	Slana	87.8%	87.8%
	Tazlina	37.3%	19.0%
	Tolsona	51.6%	25.8%
	Tonsina	31.5%	24.1%
Willow Creek	24.0%	20.0%	

24

## **7. Distribution and exchange**

- Surveys conducted in 2001 indicate that households in every community reported receiving some resident species fish and households in 14 of 18 communities reported giving away fish. These fish are also shared in formal occasions such as potlatches.

25

## **8. Contribution of a subsistence way of life**

- Household surveys conducted in 1983 and in 1988 (Stratton and Georgette 1984:39) showed that Copper Basin communities used a wide variety of subsistence resources.
- Data collected by the Division of Subsistence in 1982/83 and 1987/88 showed that Copper Basin households have higher per capita harvests of wild foods than those located in more populated areas.

26

## **Contribution of a subsistence way of life (continued)**

- Research conducted in 1999 among Basin and non-basin fishers showed that 54% of basin residents were employed, but only 30% were employed full time. Only 23% said they took time off to fish suggesting that subsistence fishing is integrated into the local economy.

27

## Considerations:

- We recommend that the board review the information in the department's customary and traditional use worksheet, as well as any information provided during public testimony at the December 2008 meeting, as the basis for a customary and traditional use finding for these stocks.

28

## Other Options:

- If the board finds that stocks in the Upper Susitna River drainage above the confluence of the Susitna and Oshetna rivers support c&t uses, as part of a pattern of use that also characterizes uses of non-salmon finfish in the Upper Copper River drainage, it should consider adopting a regulatory definition of the Upper Susitna area, perhaps modeled after the description in the sport fishing regulations, to include within the Prince William Sound Area subsistence fishing regulations. Existing subsistence regulations for these waters, now in the Cook Inlet section, could be moved into the Prince William Sound Area based on the new regulatory description.

29

## Proposal 2

**Summary:**

This proposal would establish positive customary and traditional use determination for resident species fish (rainbow trout, steelhead, Arctic char/Dolly Varden, Arctic grayling, burbot, lake trout, whitefish, northern pike, and other non-salmon finfish) in the upper Copper and upper Susitna River drainages.

■ **Department Recommendation:**

Neutral

30

## **ANS OPTIONS FOR COPPER RIVER RESIDENT SPECIES**

### **Proposal 2: Options for Amount Necessary for Subsistence (ANS) Findings for Non-Salmon Fish, Upper Copper River/Upper Susitna River Area**

Prepared by:

Division of Subsistence  
Alaska Department of Fish and Game

Alaska Board of Fisheries  
Cordova, Alaska  
December 2008

#### **Background**

Proposal 2 asks that the Alaska Board of Fisheries determine that the non-salmon (resident) fish stocks of the Upper Copper River/Upper Susitna River Area support customary and traditional uses. Although regulations have allowed subsistence fishing for these stocks since statehood, the board has not made a customary and traditional (c&t) use determination, as required under AS 16.05.258(a). If the board finds that all or some of these stocks support customary and traditional uses, it is required under AS 16.05.258(b) to determine "the amount of the harvestable portion that is reasonably necessary for subsistence uses." This is called an "ANS" finding. The following provides several options for the board regarding an ANS finding for these stocks, should the board make a positive c&t determination.

#### **OPTION 1**

##### **Postpone an ANS determination for at least 3 years**

Presently, available permit data probably document only a portion of the harvest for home use of these stocks, and may not be a reliable basis for an ANS finding. If the board makes a positive c&t determination for some or all of these stocks, better documentation of harvests with the permit system may result over the next several years. With additional data, the board could address the ANS finding at a future Prince William Sound regulatory meeting with a more complete record of harvests based on subsistence permit records. At its March 2008 meeting, the Board took this approach for Prince William Sound Tanner and king crab stocks.

**OPTION 2**

**Make a combined ANS finding for all non-salmon fish stocks with c&t uses, based on recent household survey data**

In this option, the board could make an ANS finding for all non-salmon resident species combined, in pounds usable weight, based upon data collected by the Division of Subsistence in two rounds of household surveys. (For background on these surveys, see the c&t worksheet prepared for the December 2008 Board of Fisheries meeting [Simeone 2008]; McMillan and Cuccarese (1988) for the 1987 survey; Simeone and Kari 2004 for the 2001 survey.) The board has taken a similar approach in several other regulatory areas (for example, Bristol Bay (5 AAC 01.336(b)(2)); Aleutian Islands (5 AAC 01.366(b)(2)); Alaska Peninsula (5 AAC 01.416(b)(2)); Chignik (5 AAC 01.466(b)(3)); and Kodiak (5 AAC 01.536(b)(4)). As the need arises, the board in the future could make more precise ANS findings for stocks with regulatory or management concerns.

**Table 1. ANS Option 2: Pounds Usable Weight, All Non-Salmon Finfish**

<u>Study Year</u>	<u>Harvest per capita, lbs usable weight</u>	<u>2007 population, Copper River Census Subarea</u>	<u>Estimated harvest, lbs usable weight</u>	<u>Ranges (lbs usable weight)</u>			
				<u>Range, +/- 25%</u>		<u>Rounded range</u>	
				<u>Low</u>	<u>High</u>	<u>Low</u>	<u>High</u>
1987	13.9	3,332	46,182	34,636	57,727	35,000	58,000
2001	6.3	3,332	20,992	15,744	26,240	16,000	26,000
<b>2-year average</b>	<b>10.1</b>	<b>3,332</b>	<b>33,587</b>	<b>25,190</b>	<b>41,983</b>	<b>25,000</b>	<b>42,000</b>

<sup>1</sup> Based on Alaska Department of Labor and Workforce Development Estimates

**ANS RANGE, OPTION 2: 25,000 to 42,000 usable pounds of non-salmon finfish.**

**OPTION 3**

**Make an ANS finding for all non-salmon fish stocks based on recent household survey data, and embed within it an ANS finding for whitefish**

This option is similar to Option 2, but would include an ANS range for whitefish, based upon survey data. According to household surveys and subsistence permit data, whitefish are the resident fish taken in the largest quantities for home use in the waters of the Upper Copper River/Upper Susitna River area. The board has taken a similar approach in the Chignik Area, where a general ANS finding for non-salmon fish includes a specific ANS finding for rainbow trout/steelhead ((5 AAC 01.466(b) (3)).

**Table 2. ANS Option 3: Number of Whitefish, based on household survey data**

<u>Study Year</u>	Harvest per capita, number of whitefish	2007 population, Copper River Census Subarea	Estimated harvest, number of whitefish	Ranges (number of whitefish)			
				<u>Range, +/- 25%</u>		<u>Rounded range</u>	
				<u>Low</u>	<u>High</u>	<u>Low</u>	<u>High</u>
1987	2.1	3,332	6,831	5,123	8,538	5,000	8,500
2001	1.6	3,332	5,464	4,098	6,831	4,100	6,800
2-year average	1.8	3,332	6,148	4,611	7,684	4,600	7,700

<sup>1</sup> Based on Alaska Department of Labor and Workforce Development Estimates

**ANS RANGE, OPTION 3: 25,000 to 42,000 usable pounds of non-salmon finfish, including 4,600 to 7,700 whitefish**

#### OPTION 4

#### **Make an ANS finding for whitefish based upon subsistence permit records; postpone ANS findings for other stocks until more complete permit data are available**

This option is similar to Option 1; however, permit data for whitefish provide a time series for subsistence harvests. While likely underestimating harvests for home use (based upon comparison with household survey data), the permit data for whitefish are more complete than the permit data for other stocks.

**Table 3. ANS Option 4: Number of whitefish, based on permit data**

<u>Year Range</u>	Mean annual harvest, number of whitefish	<u>Ranges (number of whitefish)</u>			
		<u>Range, +/-%</u>		<u>Rounded range</u>	
		<u>Low</u>	<u>High</u>	<u>Low</u>	<u>High</u>
1998 to 2007 (recent 10-year average)	1,752	1,314	2,190	1,300	2,200
1988 to 2007 (recent 20-year average)	1,541	1,156	1,926	1,200	1,900
1962 to 2007 (all year average)	991	743	1,239	750	1,250

**Based on recent 10-year average, ANS RANGE, OPTION 4: 1,300 to 2,200 whitefish**

## References Cited

- McMillan, P. O., and S. V. Cuccarese. 1988.. Alaska over-the-horizon backscatter radar system: characteristics of contemporary subsistence in the Copper River Basin and Upper Tanana Area. Volume One: Synthesis. Arctic Environmental Information and Data Center, University of Alaska Anchorage.
- Simeone, W. E., and J. Kari. 2004. The harvest and use of non-salmon fish species in the Copper River Basin, Alaska. Alaska Department of Fish and Game, Division of Subsistence Technical Paper No. 292, Juneau.
- Simeone, W. E. 2008. Customary and traditional use worksheet: non-salmon resident species of fish, Copper River and Upper Susitna River. Prepared for the Alaska Board of Fisheries, Cordova, Alaska, December 2008. Alaska Department of Fish and Game, Division of Subsistence. Anchorage

	<p>Proposal 2 Customary and traditional uses of fish stocks.</p>
	<p>5 AAC 01.616  Amount Necessary for Subsistence (ANS) Options  Prepared for the Alaska Board of Fisheries December 2008</p>

## Background

- Proposal 2 asks that the Board of Fisheries make a positive customary and traditional (c&t) finding for the non-salmon resident fish stocks of the upper Copper River/Upper Susitna River Area.
- If the Board adopts a positive finding for all or portions of these stocks, it is required under AS 16.05.258(b) to determine "the amount of the harvestable portion that is reasonably necessary for subsistence uses." (an "ANS" finding)
- Following are four options prepared by ADF&G Division of Subsistence for ANS findings for these stocks.

2

	<b>ANS OPTION 1: Postpone an ANS determination for at least 3 years</b>
	<ul style="list-style-type: none"><li>■ Current subsistence permit data likely underestimate current harvests of these stocks for home use.</li><li>■ Board action on the c&amp;t finding at this meeting might result in better documentation of harvests in the future.</li><li>■ The Board could revisit the ANS determination at a future meeting.</li><li>■ The Board has postponed action on ANS findings for other stocks pending better harvest data.</li></ul>

**OPTION 2: Make a combined ANS finding for all non-salmon stocks with c&t uses based on recent household survey data.**

Table 1. ANS Option 2: Pounds Usable Weight, All Non-Salmon Finfish

Study Year	Harvest per capita, lbs usable weight	2007 population, Copper River Census Subarea	Estimated harvest, lbs usable weight	Ranges (lbs usable weight)			
				Range, +/- 25%		Rounded range	
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1987	13.9	3,332	46,182	34,636	57,727	35,000	58,000
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2-year average	10.1	3,332	33,587	25,190	41,983	25,000	42,000

<sup>1</sup> Based on Alaska Department of Labor and Workforce Development Estimates

**ANS RANGE, OPTION 2: 25,000 to 42,000 usable pounds of non-salmon finfish.**

- Precedents for other stocks
- More precise findings can be made as the need arises

**OPTION 3: Make an ANS finding for all non-salmon stocks, and embed within it an ANS for whitefish, based on household survey data.**

Table 2. ANS Option 3: Number of Whitefish, based on household survey data

<u>Study Year</u>	Harvest per capita, number of whitefish	2007 population, Copper River Census Subarea	Estimated harvest, number of whitefish	Ranges (number of whitefish)			
				<u>Range, +/- 25%</u>		<u>Rounded range</u>	
				<u>Low</u>	<u>High</u>	<u>Low</u>	<u>High</u>
1987	2.1	3,332	6,831	5,123	8,538	5,000	8,500
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<b>2-year average</b>	<b>1.8</b>	<b>3,332</b>	<b>6,148</b>	<b>4,611</b>	<b>7,684</b>	<b>4,600</b>	<b>7,700</b>

<sup>1</sup> Based on Alaska Department of Labor and Workforce Development Estimates

**ANS RANGE, OPTION 3: 25,000 to 42,000 usable pounds of non-salmon finfish, including 4,600 to 7,700 whitefish**

- Whitefish are the resident fish taken in the largest numbers
- More precise findings can be made as the need arises

**OPTION 4: Make an ANS finding for whitefish using permit data; postpone findings for other stocks until more complete data available**

Table 3. ANS Option 4: Number of whitefish, based on permit data

<u>Year Range</u>	Mean annual harvest number of whitefish	<u>Ranges (number of whitefish)</u>			
		<u>Range, +/-25%</u>		<u>Rounded range</u>	
		<u>Low</u>	<u>High</u>	<u>Low</u>	<u>High</u>
1998 to 2007 (recent 10-year average)	1,752	1,314	2,190	1,300	2,200
1988 to 2007 (recent 20-year average)	1,541	1,156	1,926	1,200	1,900
1962 to 2007 (all year average)	991	743	1,239	750	1,250

**Based on recent 10-year average, ANS RANGE, OPTION 4:**  
**1,300 to 2,200 whitefish**

- Permit data for whitefish appear more complete than for other stocks, but may still underestimate harvests for home use
- More precise findings can be made as the need arises

Summary: ANS Options for upper Copper River/Upper Susitna River non-salmon fish

- Option 1: Postpone ANS determination for at least 3 years
- Option 2: 25,000 to 42,000 usable pounds of non-salmon fish, based on household survey data
- Option 3: 25,000 to 42,000 usable pounds of non-salmon fish, including 4,600 to 7,700 whitefish, based on household surveys
- Option 4: 1,300 to 2,200 whitefish, and postpone findings for other stocks, based on subsistence permit records.

7

**PART C  
PROPOSAL 3**

**Proposal 3: Open  
Crosswind Lake to  
subsistence uses**

Prepared for  
Alaska Board of Fisheries  
December 2008

## Proposal 3

- This proposal would... open Crosswind Lake to subsistence fishing

Department Recommendation:  
Support

2

## **Back ground information**

- Crosswind Lake was closed to subsistence fishing in 1969.
- Historically the Ahtna made extensive use of resident fish species (whitefish, grayling, lake trout and burbot) found in the lake. The following map shows the location of some fishing sites on and around Crosswind Lake.

3

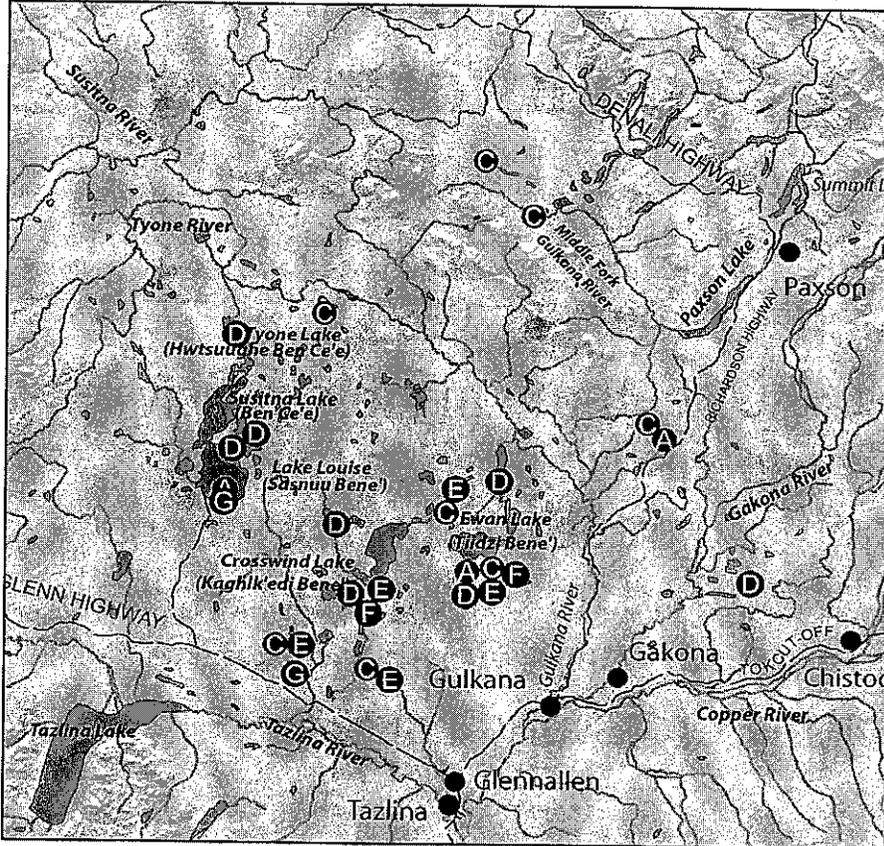


Figure 6.  
Major Historical Ahtna Fishing Sites for Resident Species Fish Tyone Lake, Lake Louise, and Crosswind Lake Area

**Ahtna Non-Salmon Fishery Species Harvested**

- Ⓐ burbot (ts'anya'e)
- Ⓑ Dolly Varden (ts'engastlaeggj)
- Ⓒ grayling (sde't'aeni)
- Ⓓ humpback whitefish (tuux)
- Ⓔ longnose sucker (dahts'adye)
- Ⓕ round whitefish (xasten)
- Ⓖ trout (baet)\*

\*Includes both lake trout and rainbow trout



SCALE 1:699,189



Source:  
Division of Subsistence, ADF&G Household Interviews. See Division of Subsistence Technical Paper No. 292, The Harvests and Uses of Non-salmon Fish Species in the Copper River Basin, Alaska, for background on sample sizes and mapping methods.

**PART D  
PROPOSAL 4**

**PAPER COPY OF POWERPOINT PRESENTATION ON PROPOSAL BACKGROUND**

	<p><b>Proposal 4</b> <b>Customary and traditional uses of fish</b></p>
	<p><b>stocks.</b> <b>5 AAC 01.616</b></p> <p><b>Prepared for the</b> <b>Alaska Board of Fisheries</b> <b>December 2008</b></p>

## Proposal 4

The proposal would repeal the positive customary and traditional (c&t) use determination for the Chinook salmon stocks of the Copper River District and, consequently, prohibit subsistence fishing for these stocks.

**Department Recommendation: Neutral**

2

	<p>Alaska Statute regarding customary and traditional use findings</p>
	<ul style="list-style-type: none"><li>■ Under AS 16.05.258 (a) the Board of Fisheries must identify fish stocks, or portions of stocks, that are customarily and traditionally taken or used for subsistence.</li><li>■ AS 16.05.940 (7) defines "customary and traditional" as "the non-commercial, long-term, and consistent taking of, use of, and reliance upon fish or game in a specific area and the use patterns of that fish or game that have been established over a reasonable period of time taking into consideration the availability of the fish or game."</li></ul>

	<p>Joint Boards of Fisheries and Game Subsistence Procedures</p>
	<ul style="list-style-type: none"><li>■ The Board of Fisheries applies 5 AAC 99.010 – the Joint Board’s c&amp;t procedures (the “8 criteria”) - to determine whether fish stocks are taken or used for subsistence purposes.</li></ul>

## Current State Regulations

### **5 AAC 01.616**

- (a) ~~(4) The board found in 1996 that salmon stocks in the Copper River District are customarily and traditionally taken or used for subsistence.~~
- (b) (2) The board established in 2005 the following amounts as reasonably necessary for subsistence: (A) in a year when there is a commercial fishery, 3,000 – 5000 salmon; (B) in a year when there is no commercial fishery, 19,000 – 32,000 salmon. [These ANS totals include all species, including Chinook]

### **5 AAC 01.630(b)**

This regulation establishes a permit requirement for the Copper River District subsistence salmon fishery. Only one permit per year per household is allowed.

### **5 AAC 01.645(d)**

This regulation establishes that subsistence salmon in the district shall occur in conformance with commercial fishing regulations in terms of open areas, open periods, and gear, and establishes the following seasonal limits: 15 salmon for a one person household; 30 salmon for a two-person household; and 10 salmon for each additional household member. No more than 5 king salmon may be taken per permit.

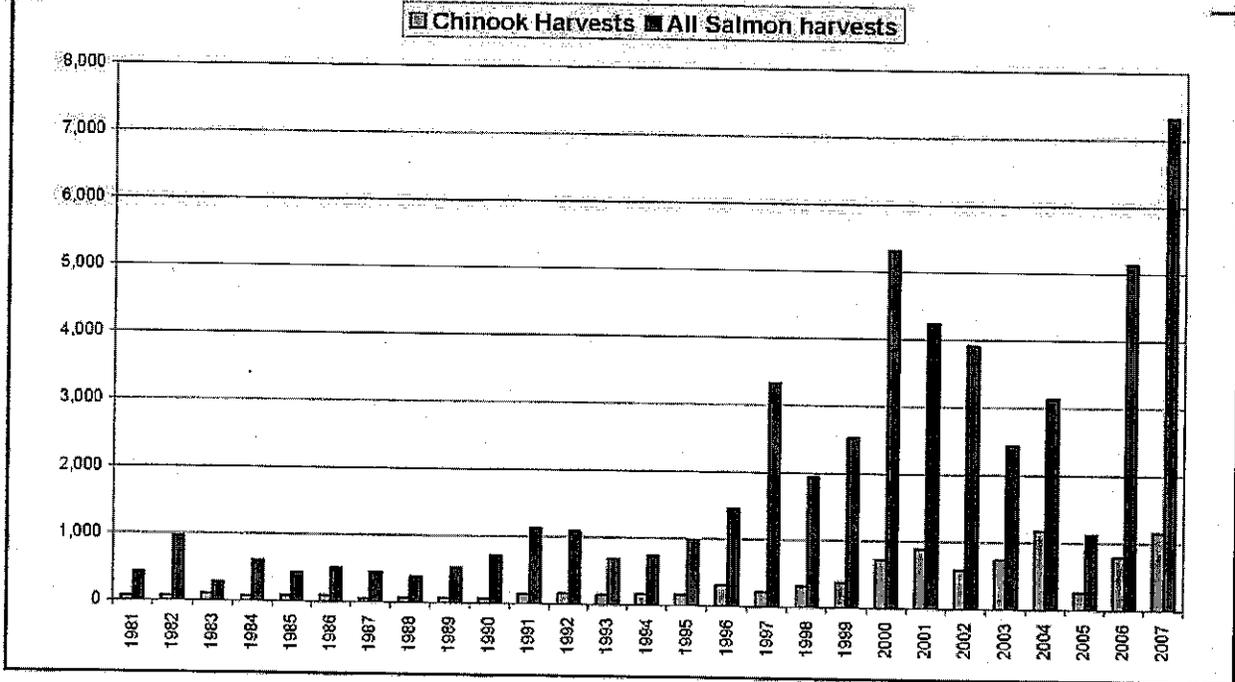
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## Background

- The indigenous Eyak Indians used Chinook salmon as part of their seasonal round of subsistence activities, probably for several 1000 years
- Since 1960, state regulations have allowed subsistence fishing for Chinook salmon in the Copper River District
- The Board made a positive c&t finding for all the salmon stocks of the Copper River District, including Chinook salmon, in 1996
- In 2005, the Board established the ANS amounts for the salmon stocks of this district, including Chinook.

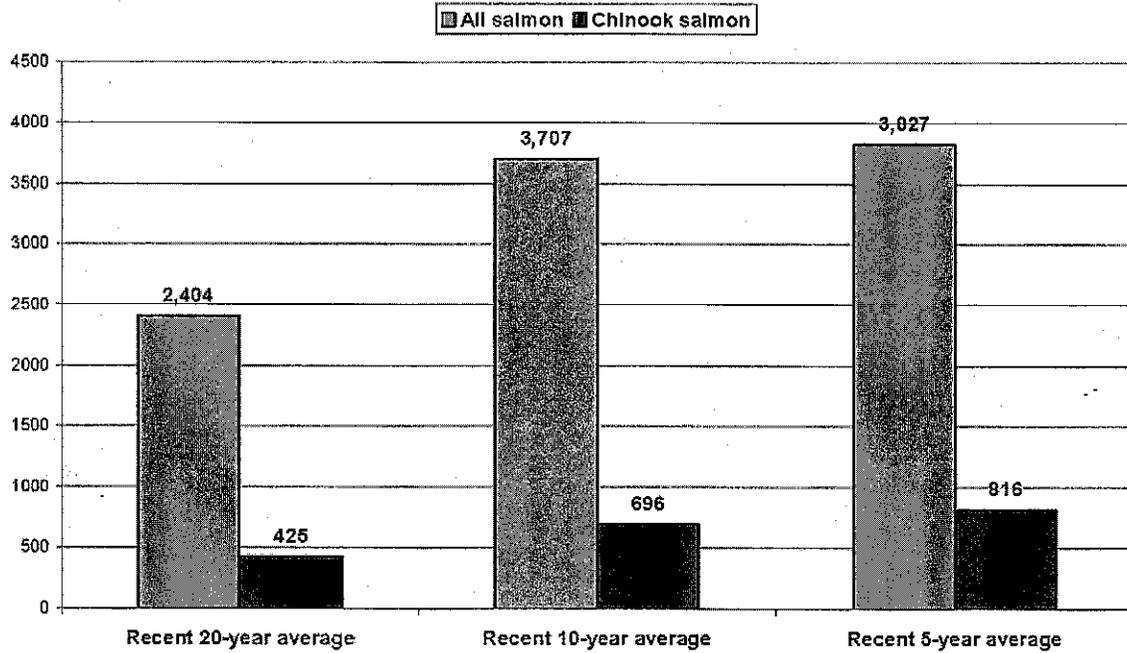
# Background: Subsistence Harvests

Estimated Subsistence Harvests of Chinook Salmon and All Salmon, Copper River District, 1981 - 2007



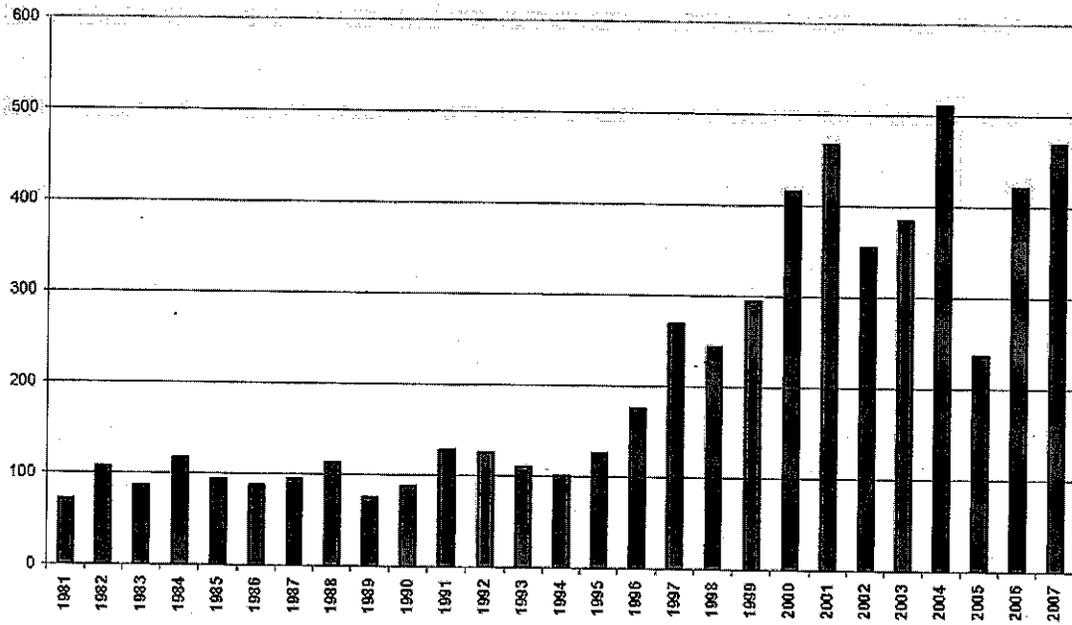
## Background: Subsistence Harvests

Recent annual average subsistence harvests of salmon and Chinook salmon, Copper River District



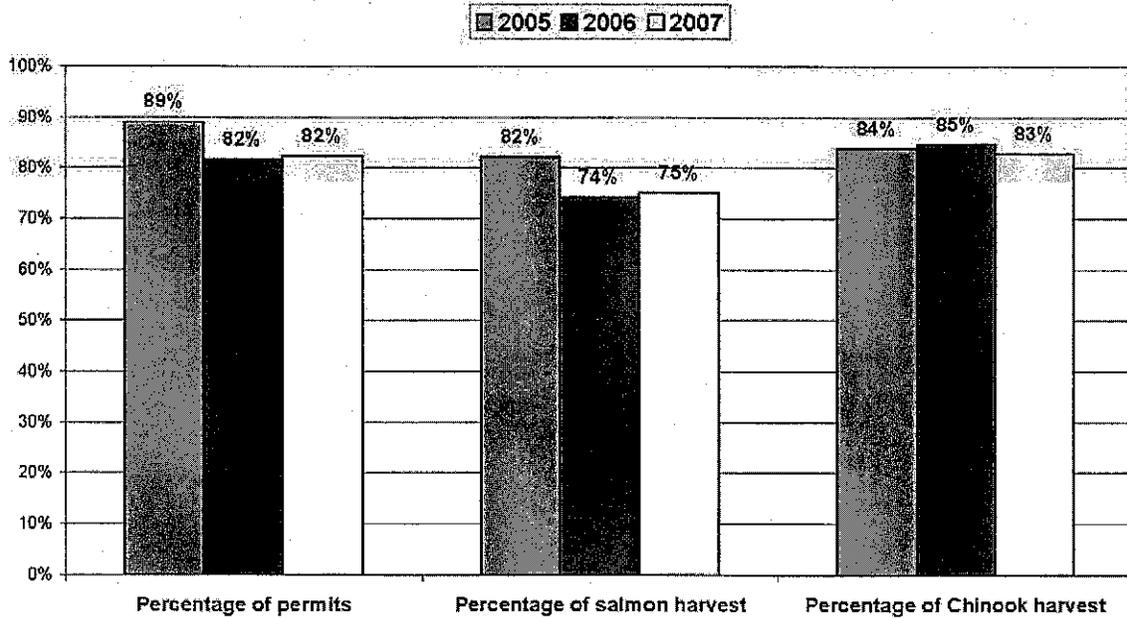
# Background: Number of permits issued for the fishery

Number of Subsistence Permits Issued, Copper River District, 1981 - 2007



## Background: participants in the fishery

Percentage of Subsistence Permits, Harvests of Salmon, and Harvest of Chinook Salmon by Cordova Residents, Copper River District, 2005, 2006, and 2007



## Other Available Information

- The c&t worksheet from the 1996 meeting and the background report from the 2005 meeting used to establish the ANS finding are included as a staff report in RC 2.
- ADF&G has no significant new information for the 2008 meeting to provide for a reexamination of the c&t analysis of the Chinook salmon stocks of the Copper River District.
- The reports from 1996 and 2005 remain accurate descriptions of the use patterns of Copper River District Chinook salmon.

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## Effect of the Proposal

- If the board finds that there is new significant information available, and applies the 8 criteria, and changes the current c&t finding for Copper River District Chinook salmon stocks from positive to negative, subsistence fishing for these stocks could not be allowed.
- The board might then consider revising its ANS determination, which now include all salmon, to remove Chinook salmon from those findings.
- Other subsistence regulations under Article 12 (Prince William Sound subsistence finfish fishing) would require changes to prohibit subsistence fishing for Chinook salmon in the Copper River District.
- Unless the Board made other provisions, such as under personal use regulations, any Chinook salmon caught in subsistence nets in the Copper River District would need to be discarded.

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## Considerations

- Subsistence fishing for Chinook salmon has a long history in the Copper River District and has always been permitted under state regulations.
- The Board made a positive c&t finding for all salmon stocks in the District in 1996 and affirmed that decision in 2005 when establishing the ANS.
- The department has no significant new information regarding the 8 criteria for a reexamination of the c&t status of Chinook salmon stocks in the Copper River District.
- Reports provided to the Board in 1996 and 2005 provide an accurate overview of the Copper River District subsistence salmon fishery.

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	<h2>Considerations, continued</h2>
	<ul style="list-style-type: none"><li>■ Regarding "demographic changes in users," (mentioned in the proposal) most participants in this subsistence fishery are Cordova residents</li><li>■ Since 1990, Cordova's population has dropped from 2,504 to 2,192, a 12.5% decline</li><li>■ The size of Cordova's Alaska Native population has been steady or increasing slightly since 1980.</li></ul>

## Proposal 4 - Summary

- The proposal would reverse a positive customary and traditional (c&t) finding, and establish a negative c&t use determination for the Chinook salmon stocks of the Copper River District and, consequently, prohibit subsistence fishing for these stocks.

Department Recommendation: Neutral; first determine if there is significant new information to warrant re-examination of the c&t finding; if yes, make a c&t finding, by applying 5 AAC 99.010 (the 8 criteria) based upon previous staff reports and the new information.

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**PART E**  
**PROPOSALS 5, 6, 7, AND 10**

	<h1><b>Customary and Traditional use of fish stocks</b></h1>
	<p>Prepared for Alaska Board of Fisheries December 2008</p>

Prepared for  
Alaska Board of Fisheries  
December 2008

## **Proposal 7**

- Proposal 7 would amend the subsistence salmon fishing regulations in commercial fishing districts currently open to subsistence fishing in Prince William Sound.

2

	However, the Board of Fisheries has not made a
	positive C&T finding for subsistence salmon fishing in 9 of the commercial fishing districts in Prince William Sound.

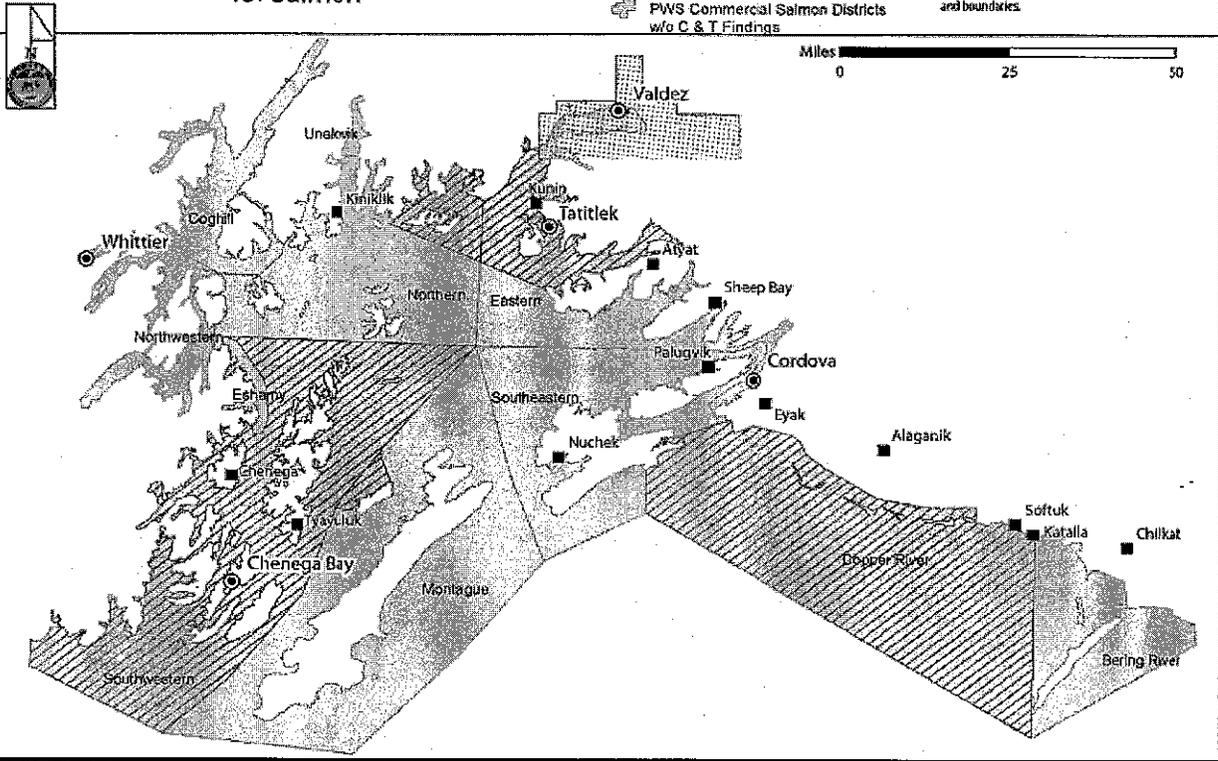
3

**DIVISION OF SUBSISTENCE - ALASKA DEPARTMENT OF FISH AND GAME**

**ADF&G Prince William Sound Management Area  
Customary and Traditional Use Determinations  
for Salmon**

- Contemporary Communities
- Historical Communities
- ▨ Valdez Non-Subsistence Area
- ▧ PWS Salmon C & T Findings
- ▩ PWS Commercial Salmon Districts w/o C & T Findings

Source: ADF&G Division of Subsistence.  
Note: This map was made using data believed to be accurate; however, it is to be used for general representational purposes only. Users are advised to consult the specific regulation(s) for exact locations and boundaries.



## **Alaska Statute regarding customary and traditional use findings**

- Under AS 16.05.258 (a) the Board of Fisheries must identify fish stocks, or portions of stocks, that are customarily and traditionally taken or used for subsistence.
- AS 16.05.940 (7) defines "customary and traditional" as "the non-commercial, long-term, and consistent taking of, use of, and reliance upon fish or game in a specific area and the use patterns of that fish or game that have been established over a reasonable period of time taking into consideration the availability of the fish or game."

5

	<b>Joint Boards of Fisheries and Game Subsistence Procedures</b>
	<ul style="list-style-type: none"><li>■ The Board of Fisheries applies 5 AAC 99.010 – the Joint Board’s c&amp;t procedures (the “8 criteria”) - to determine whether fish stocks are taken or used for subsistence purposes.</li></ul> <p data-bbox="1333 1041 1349 1062">6</p>

## Current State Regulations

- Season: in conformance with commercial salmon fishery openings (5 AAC 01.645(b)).
- Gear: in conformance with gear allowed in the commercial salmon fishery (5 AAC 01.645(b)).
- Permit: required; only one issued per household per year; a record of harvest must be kept on the permit (5 AAC 01.630(b),(d),(e))
- Bag and possession limits (5 AAC 01.645[b]):
  - 15 salmon for a one person household
  - 30 salmon for a two-person household
  - 10 salmon for each additional household member
  - no more than 5 king salmon per permit
- Marking: not required

7

## State Subsistence Procedures

- Is there Customary and Traditional Use of salmon in Prince William Sound general. No
- Is there a "Harvestable Surplus" of salmon in Prince William Sound general, Yes
- No amount reasonably Necessary for Subsistence determined.
- Does the harvestable surplus allow for all or only some uses? - This is a Board determination.

8

## **Effect of the Board's action**

- There would be a positive customary and traditional use determination for salmon in Prince William Sound General area.
- If not adopted, a negative finding would result in all subsistence fishing of stocks under consideration being prohibited.

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# Harvest and Use Patterns

## ■ 5 AAC 99.010 "Eight Criteria" Key Elements

1. Length and consistency of use
2. Seasonality
3. Means and method of harvest
4. Geographic area
5. Means of handling, storing, preparing, preserving and storing
6. Transmission of knowledge, skills and lore
7. Distribution and exchange
8. Contribution to a subsistence way of life

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# 1. Length and consistency of use.

- Historically Prince William Sound waters were used by Alutiiq, Eyak and some Tlinigit people to harvest salmon.
- In 1987 the Alaska Board of Fisheries determined there was customary and traditional use of salmon in areas used by residents of Tatitlek and Chenega Bay.

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	<h2>Length and consistency of use (continued)</h2>
	<ul style="list-style-type: none"><li>■ Since 1960 the state of Alaska has issued subsistence salmon permits for the Prince William Sound "general area"</li></ul> <p data-bbox="1315 1029 1347 1060">12</p>

# Historical subsistence salmon harvests, Prince William Sound general, 1960-2007

Years	Total number of permits issued	Estimated total salmon harvest	Total number of Chinook	Total number of sockeye	Total number of coho	Total number of chum	Total number of pink
	513	7,152	14	783	1,797	497	4,091
1960-2007	10-Year average 7	10-Year average 21	10-Year average 0	10-Year average 15	10-Year average 3	10-Year average 2	10-Year average 21
1960-2007	5-Year average 9	5-Year average 30	5-Year average 0	5-Year average 23	5-Year average 6	5-Year average 2	5-Year average 30
1960-2007	All Years average 11	All Years average 153	All Years average 0	All Years average 17	All Years average 38	All Years average 11	All Years average 153

	<b>2. A pattern of taking or use recurring in specific seasons of each year.</b>
	<ul style="list-style-type: none"><li>■ Historically, local Native people harvested salmon when the runs appeared.</li><li>■ Today, salmon may be taken only during commercial fishing openings established by emergency order.</li></ul> <p style="text-align: right;">14</p>

**3. A pattern of taking or use consisting of methods and means of harvest that are characterized by efficiency and economy of effort and cost.**

- Depending on the situation, salmon were harvested historically with spear, gaff, gill net, dip net or in traps.
- Today, subsistence gear is limited to that allowed for the commercial salmon fishery, set gill nets and purse seines. Most fishers use gill nets for the subsistence harvest of salmon.

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**4. The area in which the noncommercial, long-term, and consistent pattern of taking, use, and reliance upon the fish stock or game population has been established.**

- Historically, most of the Prince William Sound and Copper River Delta area was used for subsistence salmon fishing. In the early 1960s, residents of Chenega fished for salmon in portions of the Coghill, Northwestern, Eshamy, Northern, and Southwestern districts (Stratton and Chisum 1986:29). In the late 1980s, areas used by Tatitlek residents for subsistence salmon fishing within their lifetimes includes the Northern and Eastern districts (ADF&G 1990).

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**The area in which the noncommercial, long-term, and consistent pattern of taking, use, and reliance upon the fish stock or game population has been established (continued).**

- Between 2002 and 2007, fishers who received subsistence salmon permits fished in the Coghill, Eshamy, and Unakwik districts.

Year	Commerical salmon district	Number of permits issued
2002	Coghill	2
2004	Coghill	3
	Eshamy	4
2005	Eshamy	4
	Unakwik	1
2006	Coghill	1
	Eshamy	4
	Unakwik	1
2007	Unakwik	2

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	<p><b>5. A means of handling, preparing, preserving, and storing fish or game which has been traditionally used by past generations, but not excluding recent technological advances where appropriate.</b></p>
	<p>In Cordova presently, a variety of methods are used to preserve salmon. These include freezing, smoking, canning, jarring, salting, pickling, and kippering. Similar methods are used in Tatitlek and Chenega Bay.</p> <p style="text-align: right;">18</p>

	<p><b>6. A pattern of taking or use that includes the handing down of knowledge of fishing or hunting skills, values, and lore from generation to generation.</b></p>
	<ul style="list-style-type: none"><li>■ We have limited information on this criterion for subsistence salmon fishing occurring specifically in the "general" Prince William Sound Area. In other areas, subsistence fishing is generally conducted by families, and is a context in which fishing skills and values are shared and learned.</li></ul> <p style="text-align: right;">19</p>

	<p><b>7. A pattern of taking, use, and reliance where the harvest effort or products of that harvest are distributed or shared, including customary trade, barter, and gift-giving.</b></p>
	<ul style="list-style-type: none"><li>■ Household survey data from Healy, Valdez, Whittier, and Cordova show that sharing is common in these communities.</li></ul> <p data-bbox="1323 1045 1347 1066">20</p>

**8. A pattern that includes taking, use, and reliance for subsistence purposes upon a wide variety of the fish and game resources and that provides substantial economic, cultural, social, and nutritional elements of the subsistence way of life.**

- Per capita subsistence harvests range from a high of 233 pounds in Cordova (1988) to 79 pounds in Valdez (1993).
- The percentage of residents harvesting wild resources ranges from 93% in Healy (1987) to 72% in Cordova (1985)
- The percentage of residents using subsistence resources ranges from 100% in Cordova in 1992 and 1993 to 91% in Cordova in 1985 .
- In all communities, over 64% or more of households surveyed reported using salmon. The percentage of households harvesting salmon varied from 37% in Healy to 90% in Cordova.

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**8. A pattern that includes taking, use, and reliance for subsistence purposes upon a wide variety of the fish and game resources and that provides substantial economic, cultural, social, and nutritional elements of the subsistence way of life (continued).**

■ Percentage of households using and harvesting salmon

Healy 1987	Percent Using	Percent Harvesting
Salmon	64%	37%
Valdez	Percent Using	Percent Harvesting
Salmon		
1991	89%	73%
1992	83%	69%
1993	66%	57%
Whittier 1990	Percent Using	Percent Harvesting
Salmon	77%	54%
Cordova	Percent Using	Percent Harvesting
Salmon		
1985	95%	72%
1988	95%	82%
1991	96%	86%
1992	100%	90%
1993	100%	78%

	<b>Considerations:</b>
	<p>We recommend that the board review the information in the department's customary and traditional use worksheet, as well as any information provided during public testimony at the December 2008 meeting, as the basis for a customary and traditional use finding for these stocks.</p> <p data-bbox="1328 1050 1356 1071">23</p>

## **ANS OPTIONS FOR SALMON, REMAINDER OF PRINCE WILLIAM SOUND**

### **Proposals 5, 6, 7, and 10: Options for Amount Necessary for Subsistence (ANS) Findings for Salmon, Prince William Sound Area, remaining districts**

Prepared by:

Division of Subsistence  
Alaska Department of Fish and Game

Alaska Board of Fisheries  
Cordova, Alaska  
December 2008

#### **Background**

Proposals 5, 6, 7, and 10 would modify subsistence salmon fishing regulations for the 11 Prince William Sound marine waters districts. Regulations have allowed subsistence fishing for salmon throughout the Prince William Sound Area since statehood. The board has made customary and traditional (c&t) use determinations, as required under AS 16.05.258(a), for the salmon stocks within three portions of the marine waters districts of the management area: (1) the Southwestern District and the waters along the northwestern shore of Green Island (within the Montague District); (2) a portion of the Eastern and Northern districts that includes those waters north of a line from Porcupine Point to Granite Point and south of a line from Point Lowe to Tongue Point; and (3) the Copper River District. However, the board has not made c&t findings for the salmon stocks of the remaining marine waters portions of the management area, including the Coghill, Northwestern, Eshamy, Unakwik, Montague (portion), Southeastern, Bering River, Northern (portion), and Eastern (portion) districts. The board may choose to make these determinations when acting on Proposals 6, 7, or 10. If the board finds that these salmon stocks support customary and traditional uses, it is required under AS 16.05.258(b) to determine "the amount of the harvestable portion that is reasonably necessary for subsistence uses." This is called an "ANS" finding. The Board has established ANS findings for those salmon stocks in the Prince William Sound Area with identified c&t uses (5 AAC 5 AAC 01.616(b)). The following provides two options for the board regarding an ANS finding for the remaining salmon stocks.

#### **OPTION 1**

##### **Postpone an ANS determination for at least 3 years**

Subsistence permit data document very low levels of salmon harvests in these remaining districts of the Prince William Sound Area. If the board makes a positive c&t determination for these stocks and adopts Proposals 7 and 10 that clarify the subsistence fishing regulations in these districts, the number of permits issued and remained may increase in the future, providing a better indication of the level of interest in the subsistence fishing opportunities in these districts. With additional data, the board could address the ANS finding at a future Prince William Sound regulatory meeting with a more complete record of harvests based on permit records. At its

March 2008 meeting, the Board took this approach for Prince William Sound Tanner and king crab stocks.

**OPTION 2**

**Make an ANS finding for salmon for “the remainder of the Prince William Sound Area” based on the long-term average annual harvest as documented by subsistence permits**

We suggest using the long-term average rather than recent averages due to the very low reported harvests in recent years, which may not be indicative of the true level of interest in the subsistence salmon fishing opportunities in these districts.

Table 1. ANS Options for Salmon, remainder of Prince William Sound Area

<u>Time Period</u>	<u>Average annual harvest of salmon</u>	<u>ANS Range options</u>			
		<u>Mean +/- 25%</u>		<u>Rounded range</u>	
		<u>Low</u>	<u>High</u>	<u>Low</u>	<u>High</u>
Recent 5-years (2003 - 2007)	30	23	38	25	40
Recent 10-years (1998 - 2007)	21	16	26	20	30
Recent 20-years (1988 - 2007)	23	17	29	20	30
All years (1960 - 2007)	153	115	191	115	200

**Based on all-years average, ANS RANGE OPTION: 115 to 200 salmon**

**PAPER COPY OF POWERPOINT REGARDING ANS OPTIONS**

	<p>Proposals 5, 6, 7, and 10: Prince William Sound Subsistence Salmon Fishery:</p>
	<p>Potential action on customary and traditional uses of fish stocks. 5 AAC 01.616</p> <p>Amount Necessary for Subsistence (ANS) Options</p> <p>Prepared for the Alaska Board of Fisheries December 2008</p>

## Background

- Proposals 5, 6, 7, and 10 address subsistence salmon fishing regulations in 11 Prince William Sound regulatory districts in marine waters
- For portions of these waters, the Board has not made a customary and traditional use (c&t) determination, as required under AS 16.05.258(a).
- If the Board adopts a positive finding for all or portions of these stocks, it is required under AS 16.05.258(b) to determine "the amount of the harvestable portion that is reasonably necessary for subsistence uses." (an "ANS" finding)
- Following are two options prepared by ADF&G Division of Subsistence for ANS findings for these stocks.

2

	<b>ANS OPTION 1: Postpone an ANS determination for at least 3 years</b>
	<ul style="list-style-type: none"><li>■ Current subsistence permit data document low harvests, and might underestimate current harvests of these stocks (or interest in fishing for these stocks) for home use.</li><li>■ Board action on Proposals 6, 7, and 10 (that clarify the regulations) and the c&amp;t finding might result in better documentation of harvests in the future.</li><li>■ The Board could revisit the ANS determination at a future meeting.</li><li>■ The Board has postponed action on ANS findings for other stocks pending better harvest data.</li></ul>

**OPTION 2: Make an ANS finding for salmon stocks with c&t uses for "the remainder of the Prince William Sound Area" based on long-term average annual harvests documented by subsistence permits.**

Table 1. ANS Options for Salmon, remainder of Prince William Sound Area

Time Period	Average annual harvest of salmon	ANS Range options			
		Mean +/- 25%		Rounded range	
		Low	High	Low	High
Recent 5-years (2003 - 2007)	30	23	38	25	40
Recent 10-years (1998 - 2007)	21	16	26	20	30
Recent 20-years (1988 - 2007)	23	17	29	20	30
All years (1960 - 2007)	153	115	191	115	200

**Based on all-years average, ANS RANGE OPTION: 115 to 200 salmon**

- Long-term average might better represent participation, although might be too low if participation increases with clearer regulations.
- More precise findings can be made as the need arises.

**Summary: ANS Options for salmon stocks  
in the "remainder of the Prince William  
Sound Management Area**

- Option 1: Postpone ANS determination for at least 3 years
- Option 2: 115 to 200 salmon based on the long-term average annual harvest based on permit data

5

**PART F  
PROPOSAL 21**

**TABLE OF INCIDENTAL ROCKFISH AND LINGCOD HARVESTS IN SUBSISTENCE HALIBUT FISHERY**

**Background for Proposal 21**

Prepared by:  
Alaska Department of Fish and Game, Division of Subsistence  
December 2008

Incidental subsistence harvests of rockfish and lingcod on the subsistence halibut fishery, Prince William Sound, 2003 through 2007.

Year	Rockfish			Lingcod		
	Estimated Number of Fishers <sup>1</sup>	% of all SHARCs <sup>2</sup> Fished	Estimated Number Harvested	Estimated Number of Fishers <sup>1</sup>	% of all SHARCs <sup>2</sup> Fished	Estimated Number Harvested
2003	62	41.3%	752	35	23.3%	143
2004	81	24.8%	911	44	13.5%	104
2005	108	29.8%	792	57	15.7%	103
2006	83	27.6%	719	39	13.0%	93
2007 <sup>3</sup>	96	23.9%	640	50	12.5%	114
5-year average	86	29.3%	763	45	15.3%	111

Sources: Division of Subsistence, Alaska Department of Fish and Game, Technical Papers, Numbers 288, 304, 320, 333; household surveys 2008 for 2007 data

<sup>1</sup> This is the number of subsistence halibut fishers who harvested incidental rockfish or lingcod.

<sup>2</sup> SHARC = Subsistence Halibut Registration Certificate

<sup>3</sup> Data for 2007 are preliminary

RC 11



**YUKON RIVER DRAINAGE FISHERIES ASSOCIATION**

November 17, 2008

Alaska Board of Fisheries  
Boards Support Section  
Alaska Department of Fish & Game  
PO Box 115526  
Juneau, AK 99811-5526

RECEIVED  
11-2008  
BOARDS

**RE: Board of Fisheries Proposal Comments, Prince William Sound Proposal 81**

Dear Board of Fisheries Members:

The Yukon River Drainage Fisheries Association (YRDFA) is an association of commercial and subsistence fishers on the Yukon River, Alaska's longest river. The salmon of the Yukon River provide a primary source of food for local residents and for many the commercial salmon harvest also provides the only means of income for those who live in the 49 remote villages of the Yukon River in Alaska. We appreciate the opportunity to comment on Proposal 81 to reduce Prince William Sound (PWS) hatchery production to 24% of 2000 production. YRDFA **supports** this proposal **with modification** to reduce PWS hatchery production by 24% from 2001 levels, as originally promised by hatchery managers in 2001. We urge the Board of Fisheries to reduce PWS hatchery production and undertake research and monitoring efforts to address the problem of marine carrying capacity.

YRDFA has grave concerns about the biological and economic impacts of increased hatchery production. While we are still studying the precise interactions, it is clear that hatchery fish compete with wild salmon stocks for food in the marine environment, and may be contributing to size declines.<sup>1</sup> Hatchery outputs in PWS have increased dramatically since 2000: while approximately 76 million chum fry were released in 2000, over 146 million were released in 2005, a near doubling of fry releases.<sup>2</sup> These hatchery fish compete directly with wild fish in the marine environment. This increased competition for a fixed (and in some environmental conditions declining) amount of food in the marine environment results in size declines in wild stocks. Smaller fish carry fewer eggs which are less likely to survive, thus size declines directly impact production as well.

<sup>1</sup> See Bigler et. al. 1996 for information on size declines in salmon throughout the North Pacific.

<sup>2</sup> ALASKA DEPARTMENT OF FISH AND GAME, Staff Comments on Subsistence, Personal Use, Sport, Guided Sport, and Commercial Regulatory Proposals for the Prince William Sound-Copper River-Upper Copper/Upper Susitna Management Areas, Alaska Board of Fisheries Meeting, Cordova, Alaska (December 1-7, 2008)(RC 2: 130).

Wild fish face stressors from a variety of factors under current environmental conditions. Climate change is impacting salmon stocks throughout their lifecycles. Yukon River Chinook salmon face the threat of *Ichthyophonus* infection and Chinook and chum salmon are taken as bycatch in the Bering Sea pollock fishery as well. Of the many factors impacting wild salmon stocks, competition from hatchery fish is one of the few which we can control. Particularly in these rapidly changing environmental conditions it is imperative that hatchery production is managed conservatively. Where the impacts on wild stocks and marine carrying capacity are not known, the Board of Fish and ADF&G should take a precautionary approach, reducing hatchery production until we know that it does **not** impact wild fish stocks. These reductions should be mandatory, and strict penalties enforced if hatchery operators do not comply with production guidelines. Particularly because of PWSAC's history of noncompliance with permit requirements, reporting and marking requirements and a suite of other performance issues,<sup>3</sup> it is particularly important that ADF&G set specific standards with strict penalties for noncompliance.

Beyond the biological impacts, hatchery production has had serious economic impacts as well. There is no question that hatchery production has dealt Yukon River chum markets a serious blow. Early season chum sales have been lost to hatchery production in Southeast Alaska and Prince William Sound that were directed at this same market period. Roe markets have been equally, if not more, affected. Increasing chum production in PWS makes the remote, higher cost fisheries, such as in the Yukon River, that much more marginal.

The Board of Fish addressed this issue in 2001, when hatchery managers promised to *reduce* their production by 24%. This promise was not met, but is no less important than it was in 2001. We urge the Board of Fisheries to take this opportunity to enforce this promise and reduce PWS hatchery production. We further ask the Board to require research and monitoring efforts to address the problem of marine carrying capacity. Finally, to ensure that fishermen and fishing organizations from throughout Alaska are given an opportunity to participate actively in hatchery discussions, we ask the Board to regularly convene the hatchery forum as a "forum for open discussion on a mutually agreed upon agenda of hatchery topics," as described in the Joint Protocol on Salmon Enhancement (#2002-FB-215). Thank you for your consideration of our comments and this important issue.

Sincerely,



Rebecca Robbins Gisclair  
Policy Director

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<sup>3</sup> See ALASKA DEPARTMENT OF FISH & GAME, Divisions of Sport and Commercial Fisheries, Internal Review of Prince William Sound Aquaculture Corporation (November 2006).



RC 12

Whittier Fish & Game Advisory Committee Meeting Minutes  
Of November 15, 2008

Members Present: Dale Etheridge, Buzz Etheridge, David Pinguoch, Jon Van Hyning, Brad Von Wichman, Milton Stevens, Ric Vrsalovic, Steve Aberle arrived at 12:15 pm

Members Absent Excused: Gordon Scott, Mike Durtschi

Public Present: Dave Goldstein

Meeting started at the Anchor Inn at 11:15 am.

Minutes of April 5, 2008 meeting were read and approved. Correction was discussion of opposing the construction of the new harbor in Whittier at this time.

Elections were held with the following results: Steve Aberle, David Goldstein were elected for three year terms. Mike Durtschi and Brian Lee were elected for one year alternates.

Board of Fisheries PWS / Copper River Comments

Prop. #	Action requested	Support / Oppose	AC Comments / Amendments	AC VOTE
29	Expand Prince William Sound sablefish season area to four months	S/A	Orca whales have no impact on Trawl caught black cod. This will allow additional time on the fishery and eliminate the split season.  Amendment: Exception for trawl license (bycatch allowance) season to be April 15 – Aug 15 due to a small harvest and hardship in gear changes.  Opposition was due to didn't like the idea of anyone getting a head start on the regular fishery. Based on action taken on Proposal 29.	7-2-0
30	Modify Prince William Sound sablefish season dates	NA		
31	Remove commissioner's permit requirement (sablefish) from regulation	S	Removes the additional burden and puts the regulations in place.	9-0
44	Establish a commercial shrimp pot fishery management plan	SA	A plan will need to be adopted in order to establish a season. There was concern of enforcement to discern difference of gear between sport and commercial. Separation of the seasons will also prevent sport fishery spilling over into the commercial season. Support the gear ownership.  AMENDMENT: Separated seasons for side stripe and spot shrimp; avoid the egg bearing periods; Season would interfere with current side stripe limited market, and prefer Sept 1 – Oct 31 season dates; Objection to splitting areas and prefer catch per unit effort (CPUE) to spread the effort out; eliminate the 8 am to 4 pm time restriction; 150 pots per vessel limit; close by emergency order; support exclusive registration (vessel or owner?) requirement for either sport or commercial harvest.	9-0
45	Open commercial pot shrimp fishery	NA	Based on actions on Proposal 44	9-0
46	Open commercial spot shrimp fishery in Prince William Sound	S	Based on actions on Proposal 44	9-0
47	Remove permit requirement (shrimp trawl) from regulation	S	Removes burdensome paperwork for ADF&G staff.	9-0
48	Set spot shrimp guideline harvest level at or near mid 1980s level	NA	Need current data.	9-0

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## Whittier Fish & Game Advisory Committee Meeting Minutes Of November 15, 2008

Prop. #	Action requested	Support / Oppose	AC Comments / Amendments	AC VOTE
49	Exclusive registration for sport or commercial spot shrimp fishery	NA	That was already addressed in Proposal 44 comments.	
50	Modify Central and Northwest section boundary in shrimp fishery	S	This better defines the area populations.	9-0
51	Allow sport and commercial seasons for shrimp to run concurrently	S	Why close the fishery when it is doubtful sport fishermen will fish in an active commercially fished area? If a split season would get into the egg bearing season, that is preferred. Committee discussed this under Proposal 44.	7-0-2
52	Limit sport spot shrimp area during commercial openers	O	Oppose the concept of closed waters. This could be addressed, if needed at a future meeting.	0-9
53	Open non-commercial spot shrimp fisheries open through Dec 31	O	Concern of harvest during egg bearing period.	0-9
54	Reduce sport spot shrimp fishery to May 15- Sept 1	NA	This is the primary summer harvest season. No action based on Proposal 51.	
55	Reduce sport shrimp season for commercial fishery	NA	Same reasons as Proposal 51	
56	Require registration and permitting for sport shrimp fishery	SA	ADF&G gets harvest information based on the Statewide Harvest Surveys.  AMENDMENT: Committee suggested about development of an online harvest reporting program to report information. This could provide an ongoing data collection. Abstention trusts Statewide harvest data.	8-0-1
87	Change boundary between Cook Inlet-Resurrection Bay and PWS	S	This will align bag limits and could be beneficial if guide use areas go into effect.	8-0
92	Lower sport fish rockfish bag limits	S	There is not a concern about the deeper water rock fish, but the pelagic catch rate increase may not be sustainable.	8-0
93	Lower rockfish bag limit in the subsistence halibut fishery	S	Allows retention and aligns sport fish with subsistence bag limit	9-0
94	Limit number of lines fished on charter vessels	O	Cuts the ability for some fishers to make a profit. There are enforcement concerns, there is no Federal limited entry permit at this time and should this be put in effect, may shut some people out. This is too big of an issue to be signed off at BOF meeting in Cordova.	0-9
95	Redefine sport fishing gear for finfish in PWS	O	Believe this is already in regulation. This is confusing, because it only references finfish. Elderly and youth sometimes use the electric reel. This would be restrictive to those needing some assistance. Purpose of this may be to keep sport fishermen from catching blackcod, but is poorly written.	0-9
96	Allow use of sport caught pink and chum salmon for bait in PWS	S	Allows another use of the resource that won't be harmed by increased harvest.	9-0
97	Allow use of sport caught pink and chum salmon for bait in PWS	S	Same as Proposal 96	9-0
98	Modify Whittier terminal harvest area to reduce wild salmon harvests	S	Reduces the likelihood of people catching in another area, but claiming to catch them in Shotgun Cove. This makes the line visible from Whittier.	9-0
99	Reduce area open to coho salmon fishing in Passage Canal	NA	No action based on withdrawn by proposer in favor of Proposal 98.	9-0

Steve Aberle provided a report on the PWS commercial fishing proposals overview and the differences between the drift gillnet and the seiner fisheries. Most of these proposals are allocative in nature and without both views being represented at the Whittier AC meeting, they were uncomfortable with voting

## Whittier Fish & Game Advisory Committee Meeting Minutes Of November 15, 2008

On the proposals. Written comments from individuals will be submitted to the BOF. PWSAC has held meetings to work out the issues with seine and gillnet fishermen. Wider shoulders, by relaxing the percentages on the piggybanks is one idea to address those proposals. The triggers in the allocation plans need to be reviewed, keeping separate areas. It's important that all the gear types can have an early fishery.

### Board of Game proposals

There may be a proposal to change the black bear season opening to later which is supported by this committee, due to the number of black bears harvested this year. There appears to be an increase in the hunters in GMU 6D.

### Whittier New Harbor

David Pinquoch prepared a letter from the AC to send to the City of Whittier regarding the development of the lagoon. The letter was reviewed and approved to send to the City with an addition of a request for someone from the City with good and updated information to address the Whittier Fish & Game Advisory Committee at its next meeting and comment on their concerns. Ed Barrett was mentioned as a good person to invite. Intention of the City of Whittier is trying to take care of the wait list (approximately 800 people). The new harbor at the head of the bay would be intended to be seasonal, offer boat harbor and repair business opportunities. From a personal sentiment of wanting to enjoy the tranquility of the bay, there is agreement. But there is also a bigger plan perspective and the economic value of the recreational fisheries. Discussion of development of a king salmon fishery is another part of that package. Money from this project would generate revenue to the City of Whittier.

Jon Van Hyning will represent the Whittier AC at the BOF meeting in Cordova.

Meeting adjourned at 2:45 pm.

## PUBLIC COMMENTS

To the Alaska Board of Fisheries

For December 1 to December 7, 2008 Meeting in Cordova

November 17, 2008

By Gordon Scott

Box 847

Girdwood AK 99587

Phone: 907 653 7347

Mobile: 907 244 7607

## Shellfish

Proposals 44, 45, 46, 48, 49, 51, 52, 53, 54, 55, 56 re: PWS SPOT SHRIMP

Note: Any reference in my proposals and testimony to "Sport", "Personal Use", or "Subsistence" fisheries is intended to encompass all of them and should be interpreted to mean "Non-Commercial" fisheries, unless part of that interpretation is against regulatory definitions.

I submitted Proposals 46, 48, 49, 51, 52, and 55 related to the Prince William Sound Spot Shrimp Fishery. My intentions are to do what I can to get the Board in conjunction with ADFG to create regulations such that the Spot Shrimp Resource in Prince William Sound can be utilized by a commercial fishery, as it has been in the past. I put in enough proposals to kind of wrap the subject, attempting to force ADFG to create a Management Plan such that a commercial fishery could exist. The Department "dropped the ball" for many years, and my main intention is to help them and the Board to create a regulatory environment so that the resource can be exploited in a reasonable manner.

This Commercial fishery blossomed in the 80's, and the catch peaked in 1986. at 290,000 lbs per ADFG Comments. It is thought that the management of the time was not conservative enough, as the fishery began to decline. Then the Exxon Valdez Oilspill got into the mix, and the fishery pretty much totally collapsed. It is unknown what were the relative contributions of the various factors to the collapse. It was closed annually by EO from 1992 to 2000. In 2000 The Board closed the fishery (05 AAC 31.260) due to low stock abundance (thus making it unnecessary for ADFG to close it annually by EO). The Board also required ADFG to produce an acceptable to the Board 14 point management plan before the fishery could re-open. This plan was required to be at the next Board cycle in 2003. It was not. Proposal A in the March 2003 BOF meeting added a sunset clause to the PWS Spot Shrimp Fishery Management Plan, due to sunset on July 31, 2006. It also required the Department to provide an evaluation of the Management Plan for the Board's review. ADFG never created or attempted to follow the Board's requests to develop such management plan because there was no viable scientific way to manage this fishery by the 14 required points. Historically "assessments of coldwater shrimp stocks generally consist of monitoring population changes using catch rate series and in some cases research surveys." (Seafood Watch: Seafood Report, 7/23/2008, p.21). "The stock structure of spot prawns is largely unknown" (same report, p.20). Universally it is

more an analysis of numbers from afar than any specific biomass knowledge and behavior that is used to regulate Spot Prawn management.

At the 2006 Board of Fish meeting, the Department did not have any management plan for the fishery as requested by the Board two times by now (in 2000 for 2003, and in 2003 for 2006). Instead, ADFG proposed to repeal the sunset clause (March 2006 Proposal 304), thereby keeping the fishery closed by regulation. They for the second cycle ignored the requests of the Board to create a Management Plan. And this was at a time when the resource was rebounding, and there was significant pressure to reopen a commercial fishery. The Board allowed the sunset clause to expire (eliminating the requirement for the 14 point management plan), and for a third time requested the Department to "prepare a policy for this fishery."

During the time when the Department dropped the ball, the spot Shrimp stocks rebuilt tremendously, without any sort of management plan in place. There should have been a management plan in place, allowing a measured commercial fishery to go along with it for several years by now. Meanwhile the recovery of the shrimp stocks is apparently surging year after year. ADFG shrimp surveys in 2006 were strong. The 2007 surveys I believe showed more shrimp than in the peak times in the 80's. And I have heard via the grapevine that the 2008 survey numbers have jumped substantially. Over the last 4 or 5 years, the non-commercial Spot Shrimp fishery has become a gold rush type of frenzy, with reports of very large catches of shrimp coming from most everyone who participates.

All the while the Department continued to ignore the Board's repeated requests to develop a Management Plan for the fishery. When the Proposal Book for this meeting cycle was published in September, ADFG had entered Proposal No. 44. They proposed to "establish a commercial shrimp pot fishery management plan as follows: Establish a commercial shrimp pot fishery management plan." I applaud their effort to bring up the issue. I support their proposal as written in the proposal book. But it is kind of hollow. There is no substance. After thrice being requested to create a management plan by the Board, ADFG still had not picked up the ball and run. They quite simply have ignored the Board's repeated requests since 2000. It reflects what the biologists have told me annually since around 2004. They have said that they do not believe that a commercial fishery for Spot Shrimp can happen again in today's environment. They have repeatedly challenged me to come up with ideas on how to make it work.

Now faced with a series of proposals to attempt to do just that, the Department has finally come out with some detail for a Management Plan in the Staff Comments for Proposal 44. I applaud them for coming forth with some details. And I recognize (as they do) that they are "looking to the board process to refine a fishery management plan". Their apparent reluctance to open a commercial fishery is still apparent in their approach. Their proposed structure is extremely restrictive: suggesting to put in regulation measures that will put undue fishing pressure half of the time on certain parts of PWS, and no pressure on the rest. Pot limits, limited fishing hours, short season limits, and other restrictions also show their timidity to being able to manage the fishery. Many of these

items point towards a possibility that a commercial fishery on these terms may be economically unviable for fishery operators.

The strength of the resource is apparent by the survey numbers and the non-commercial catch history of recent years. I believe that ADFG is scared of overharvesting, and they know that they can not scientifically support any management plan, because management of this type of fishery is simply a numbers game. They have not shown real scientific stock assessment, which is consistent with how fisheries such as these are managed. They act like they still think that they have to come up with the 14 scientifically based points of a management plan, In fact, all they must do is soundly manage with available information.

The Board process should help the Department refine measures of a whole Sound Management Plan that is applicable for the long term future. All of Prince William Sound should be openable for Commercial Spot Shrimp Harvesting. Pot limits, hours of operation, pot size, and season bookend dates should all be liberalized from their ADFG proposed details. The fishery should be controlled by using a Guideline Harvest Range which is tied to survey data and catch per unit effort and adjusted accordingly. Subareas can and should be managed in addition to the whole.

Proposal 44 in the Staff Comments does have an idea that intrigues me: the alternate years of open and closed of areas, like a farmer fallowing his fields. This could have some merit in keeping the resource strong. With the whole Sound open, perhaps a "checkerboard" could be designed of areas to have alternating open and closed. This could be a good tool. I think that any provision like this should be experimental, and be scheduled for review (perhaps a sunset clause) at the next 2 Board cycles. Or perhaps half of the Sound could be set up as open every year, and half could be set up alternating open/closed. This could provide some comparison feedback on the technique for resource management.

The fishing 8 hours only per day would create an economic hardship in many ways. The weather is a factor that pays no attention to the clock. It may be too nasty to fish during legal hours, and be OK just before or after, for one instance. Also, operators must return to port with product regularly. Weather for traveling may keep people from fishing several extra days per week. And if you come out from port, and arrive at the gear at closing time, you would have to wait most of a day to haul pots. This allows predators (especially octopus) to have more time to eat your catch, thus harming the resource.

I submitted a spreadsheet which breaks all of the PWS Spot Shrimp proposals down to individual details. There are many great ideas for managing the resource for sustainability and to allow Commercial and non-Commercial fisheries to proceed. Included in the spreadsheet are my current positions on the issues. I also attempted to interpret and include the positions of ADFG and of the Whittier Advisory Committee on the issues.

I believe that a solid Management Plan can be gleaned from all of these proposals by consensus. I would be happy to work with the Board, with ADFG, and with other parties to craft a long term Spot Shrimp Management Plan for all of Prince William Sound which is sensitive to the Resource and to the users of the Resource, and is flexible enough to respond to the challenges of the future.

Thank you  
Gordon Scott

*4576*

Gordon Scott	Box 847, Girdwood AK 99587	907 653 7347	17-Nov-08	reason for proposal	detail	Gordon Scott Comments
Gordon Scott: Position	ADFG Position	Proposed by				
Whittier AC Position	Proposal No. Subsection					
SA	44 SA	ADFG		establish management plan		It's about time
Neutral	detail of 44 broken out below			Registration Deadline March 15		Too short, will create gear conflicts, especially if most of PWS is NOT open
Oppose	44 sec 206	ADFG		Season April 15 - May 31		Too short, will create gear conflicts, especially if most of PWS is NOT open
Oppose	44 Sec 210	ADFG		Season Sept 1 - Oct 31		Area will be too crowded, These areas will get overfished, while others will not bc exploited
Oppose	44 Sec 215	WAC Amendment ADFG		GHR to be presented at meeting		I like the idea of one year on, one year off for a while. I would like it to be something that is sunsetted in 6 or so years
Oppose	44 sec 324 b	ADFG		Limited areas to be open		
Neutral	44 sec 324 b	ADFG		Each area alternates open-closed annually		
SA	44 sec 324 c	ADFG		Shrimp pot size limits		If needs be, perhaps an aggregate volume of all pots would be better. This allows fishermen latitude of design and numbers of pots
Oppose	44 sec 324 d	ADFG		Shrimp pot shape limits		Amend such that half of the cardinal sides covered by webbing or mesh
SA	44 sec 324 e	ADFG		covered entirely by webbing or mesh		
Support	44 sec 324 e	ADFG		7/8" dowel mesh size to allow small shrimp to escape		
	44 sec 324 f 2	ADFG		unspecified pot limit		
	44 sec 324 f 2	WAC Amendment		150 pot limit per vessel		
				No pot limit or 200 pot limit, or aggregate volume of 200 pots as in ADFG pot design specs		
SA	44 sec 324 f 2	Gordon Scott Amendment				

*ps of 6*

Gordon' Position	Whittier AC Position	ADFG Position	Proposal No.	Proposed	reason for proposal	detail	Gordon Scott Comments
Oppose		Support	44	sec 324 f 3 ADFG	pots same size and type as sec 2 A	Not Clear	I do not understand the reference to 2 A
Oppose	Support	Support	44	sec 324 f 4 ADFG	Who is "that person". Not Clear	Not Clear	If it refers to vessel operator, what is definition of "vessel operator"
Oppose	Oppose	Support	44	sec 324 f 5 ADFG	8 am to 4 pm only		Very economically unviable
Oppose Support	Support	Support	44	sec 324 f 5 ADFG	Commissioner may close and reopen by EO		What does this mean?
Support	Support	Support	44	sec 324 f 6 ADFG	No bait in pots in water 2 weeks plus	Not Clear	Support if there is a pot limit
Neutral		Support	44	sec 324 g ADFG	One limit of pots per vessel		No gear conflicts, just market conflicts
Neutral	Support		44	WAC Amendment	WAC amendment, separate Spot and sidestripe seasons		Support on average. Egg periods vary
Support	Support		44	WAC Amendment	avoid egg-bearing periods		
SA	see 44	Oppose	45	Whittier AC	Open fishery with detail (below)		
	see 44	Oppose	45	Whittier AC	separated by 3 days from non-commercial		
	see 44	Oppose	45	Whittier AC	GHl according to pst fishery performance until new management plan		
	see 44	Neutral ?	45	Whittier AC	exclusive registration for commercial or non-commercial		
	see 44	Neutral ?	45	Whittier AC	create non-commercial exclusive zones near ports		
Support	Support	Oppose	46	Gordon Scott	Open fishery (no detail added)		taking eggs is concern
Support	Need data	Oppose	48	Gordon Scott	Set GHl at mid 80's level until management plan		Reduces Gear conflicts
Support	Support	Neutral	49	Gordon Scott	exclusive registration: sport or commercial		15 days shorter each end than current
Support	Support	Neutral	51	Gordon Scott	Sport and Commercial run concurrent		no time specified, must arrive at consensus
Neutral	Oppose	Neutral	52	Gordon Scott	Limit sport areas during commercial opening		as in past
Oppose	Oppose	Oppose	53	Leroy Cabana	Open sport until 12/31		
If 51 Fails	No Action	Oppose	54	Whittier AC	Reduce sport to 5/15 through 9/1		
If 51 Fails	No Action	Neutral	55	Gordon Scott	Reduce sport for commercial fishery		
Support	SA	Oppose	56	Whittier AC	Require registration and reporting for sport fishery		
Support	Support		56	WAC Amendment	Suggest Online reporting		

0686

RC 14

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Kenai Soldotna ADF&G AC Minutes for Meeting on 10-23-08

In attendance:

Dave Atcheson, Bill Tappan, Mike Crawford, Gary Dawkins, George Hunt, Nathan Corr, Paul Shadura II

7 members is not a quorum.

Guest Speaker: Charlie Troutbridge – com fish biologist from Homer

CT discussed spotted shrimp fishing in Prince Wullian Sound

-commercial fisherman want to get back into fishing for them

-not supported by ADF&G, don't have enough data to set a threshold

-we are in the 80,000-90,000 pound allowable range

-in 2000 season and pot numbers both reduced

-there is a coast wide decline in shellfish except in southeast

-statewide harvest survey takes in sport and ??? results

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GD Why is male rate so high?

CT Hermaphrodites- high mortality at transition is theory- unknown meaning- unknown when they change sex, possible age 4-5 years, all big shrimp are females.

NC Is growth rate linear or exponential over time?

CT They molt more when they are small and when they are larger they put more energy into getting thicker than longer.

CT Estimates of non commercial harvest are approx. 54,000 pounds per year. It appears that the fishery is trending upward. Average size of shrimp is 1.1 lb per pot from 25 to 75 fathoms. One idea is to allocate areas to commercial and other areas to sport fishing. Another idea is to open areas every other year. We should come out of this with a regulatory framework for a sustainable fishery.

MC We should proceed with caution and concern over stocks.

BH I own property on Latuche Island, will I be able to shrimp off that is this fishery goes allocation?

CT Bring this question to the board, they need input like this when they make their decision.

pl 02

General discussion of Mike Crawford representing the AC at the Cordova meeting.  
General concensus reached that Mike Crawford will represent the AC at the meeting  
in Cordova.

Discussions on elections and election rules and whether or not we should change them.

*p 206 z*

RC15

**Robert D. Mielke**  
**PO Box 870988**  
**Wasilla, AK 99687**  
**Tel: 907 376-1321**

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NOV 17 2008  
FISHERIES BOARD

November 17, 2008

Board Support Section  
PO Box 115526  
Juneau, Ak 99811-5526

Folks,

I would like to address some of the proposals currently before the Fisheries Board for the Prince William Sound area.

I support Proposal 63. The removal of unused set net gear that is not on lease sites would help eliminate conflict with the drift fleet and other setnetters. Some of these sites are rarely used and are simply put out to guard sites that are used. Setnetters are already over their allocation in recent years, and this practice is magnifying the problem.

I support Proposal 75. Allow ADF&G to effectively manage for the proper allocation; as stated above, the set net fleet has been over allocation in recent years.

I do not support Proposals 68 through 74. The Esther chum stocks are supposed to be for the drift gillnet fleet.

I support Proposal 77. There is too much confusion currently about when to switch from pink to coho management. This proposal would help clarify matters.

Thank you for your consideration of these matters.

Sincerely,



Robert D. Mielke

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OCT 25 2008  
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RC 16

**Seward AC Advisory Committee Minutes**

**Date:** October 23, 2008

**Advisory Committee Name:** Seward Fish and Games Advisory Committee

**Location:** City Hall, Seward Alaska

**Members Present:** Ezra Cambell, Carl Lock, Mark Clemens, Doug Mcrea, Robin Coleman, WC Casey, Corey Hetrick, Jim McCracken, Arnie Hatch, Diane Dubuc

**Quorum Present:** Yes

**ADF&G Staff Present:** Chuck Brazil, Jeff Selinger

**Time Meeting Called to order:** 7:01 PM

**Old Business:**

Invite BoF to meet in Seward for the next Cook Inlet Area Meeting (2010)

**New Business:**

**Board of Fish and Game Proposals:**

Proposal 29-----Approved /Unanimous

Proposal 87-----Adopted to Combine Proposal 87 &88

Proposal 92-----Adopted/ Unanimous

Proposal 83-----Adopted/ Unanimous

Proposal 84-----Adopted/ Unanimous

Proposal 44-----Adopted/ Unanimous

**Time Meeting Adjourned:** 11:15 PM

# STATE OF ALASKA

**Department of Fish and Game  
Boards Support Section**

Virgil Umphenour, Chairman  
2400 Davis Road  
Fairbanks AK 99701  
akhunt@ak.net

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NOV 25 2008

BOARDS

RC 17

**Fairbanks  
Fish and Game Advisory  
Committee**

November 25, 2008

Dear Board of Fisheries Members,

Regarding **Proposal # 81**

The first sentence should read as follows:

"Reduce hatchery production **by** 24% of the year 2000 production."

This word change from "**to**" to "**by**" is important to the meaning of the proposal and what it asks for.

Upon reviewing the Department's comments, we also want to point out that **production** must be the number of eggs taken and not any of the other options such as fry produced.

Thank you for your consideration.



Virgil Umphenour  
Chairman, Fairbanks Advisory Committee

SARAH PALIN  
GOVERNOR

GOVERNOR@GOV.STATE.AK.US



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

November 24, 2008

RC 18

P.O. Box 110001  
JUNEAU, ALASKA 99811-0001  
(907) 465-3500  
FAX (907) 465-3532  
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NOV 24 2008

BOARDS

Mr. John Jensen, Chairman  
Alaska Board of Fisheries  
P.O. Box 115526  
Juneau, AK 99811-5526

Dear Chairman Jensen and Board Members:

Welcome to Cordova. I want convey my sincere appreciation for your service on the Alaska Board of Fisheries. Membership on a board such as this, with many meeting days and travel to all parts of Alaska, requires tremendous sacrifice and a spirit of public service on your part. As you go forward into yet another meeting cycle, you will visit the beautiful fishing communities of Cordova, Petersburg, Sitka, and Anchorage. You will put families and business interests on hold to serve the resources and the people of Alaska.

You know better than most how the economy, especially in coastal Alaska, relies on healthy commercial, sport, and subsistence fisheries. Our fisheries are the envy of the national and international community. However, important work remains to be done. As Alaska matures as a state, we must move toward self-sufficiency and self-reliance, which can best be achieved by capturing the maximum value for our resources.

Alaska's resources and our coastal economy are best served by clean fishing and local ownership and stewardship. As board members, you make important decisions that can help achieve these goals, such as encouraging selective gear types to reduce bycatch, requiring reporting to improve scientific data gathering, and promoting fisheries that can be prosecuted by local vessels that deliver to Alaska ports and spur the economy. I am grateful to have you as partners in my quest to maintain and improve fisheries in the state of Alaska.

Sincerely,

A handwritten signature in black ink that reads "Sarah Palin". The signature is fluid and cursive, with a large loop at the end.

Sarah Palin  
Governor



RC 19

# United States Department of the Interior

## NATIONAL PARK SERVICE

Alaska Region  
240 West 5<sup>th</sup> Avenue, Room 114  
Anchorage, Alaska 99501

IN REPLY REFER TO:  
L30(AKRO-SUBS)

NOV 18 2008

Mr. John Jensen, Chairman  
Alaska Board of Fisheries  
ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish and Game  
PO Box 115526  
Juneau, Alaska 99811-5526

RECEIVED  
NOV 25 2008  
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Dear Chairman Jensen:

During your December 2008 meeting, you will be addressing proposed regulatory changes affecting the Prince William Sound and Upper Copper/Upper Susitna Management Areas. The National Park Service is the land managing agency for Wrangell-Saint Elias National Park and Preserve located in the head water area of the Copper River drainage. This conservation unit is partially within the State's Upper Copper/Upper Susitna Management Area.

We share with you the desire to implement a sound management strategy for the fishery resources of this management area. The enclosed comments address proposals 22, 25 and 27.

Conservation of the fishery resource is the primary objective of both State and Federal regulators and managers. We therefore offer the comments on these proposals in the spirit of cooperation with the State regulatory process. We believe that, through a cooperative State/Federal regulatory and management process that emphasizes fishery conservation, the fishery resources will be perpetuated for the use and enjoyment of all user groups for this and future generations.

Thank you for considering our comments. If you or your staff has questions, please contact Nancy Swanton, Subsistence Program Manager, at 644-3597 or Dave Nelson, Fishery Biologist, at 644-3529.

Sincerely,

Sue E. Masica  
Regional Director

Enclosures

cc:

Denby Lloyd, Commissioner, ADF&G  
Deb Cooper, Associate Regional Director, NPS  
David Mills, Subsistence Team Manager, NPS  
Eric Veach, Chief, Natural and Cultural Resources, Wrangell-St. Elias NP&Pres  
Nancy Swanton, Subsistence Program Manager, NPS  
Dave Nelson, Fishery Biologist, NPS  
Rod Campbell, Fisheries Liaison to ADF&G, Office of Subsistence Management

**NATIONAL PARK SERVICE  
COMMENTS ON  
ALASKA BOARD OF FISHERIES PROPOSALS**

**For The**

**PRINCE WILLIAM SOUND and UPPER COPPER/UPPER SUSITNA  
MANAGEMENT AREAS**

**State of Alaska  
Board of Fisheries Meeting  
December 1-7, 2008  
Cordova, Alaska**



**United States Department of the Interior**

**NATIONAL PARK SERVICE**

Alaska Region  
240 West 5<sup>th</sup> Avenue, Room 114  
Anchorage, Alaska 99501

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The following comments address these proposals only as they affect Federally qualified subsistence users and National Park Service fishery resources.

### **National Park Service (NPS) Comment on Prince William Sound and Upper Copper/Upper Susitna**

#### **Proposal 22**

**Proposal 22** requests that the annual limit in the Chitina personal use salmon fishery for a household of two or more be increased. The current annual limit is 30 salmon. This proposal requests an additional 10 salmon for each household member after the 30 salmon household limit has been taken.

#### **Existing State Regulation:**

##### **5 AAC 77.591 Copper River Personal Use Dip Net Salmon Fishery Management Plan.**

(e) The annual limit for a personal use salmon fishing permit is 15 salmon for a household of one person and 30 salmon for a household of two or more persons, of which no more than one may be a king salmon. However, when the department determines that a weekly harvestable surplus of 50,000 or more salmon will be present in the Chitina Subdistrict, the commissioner shall establish, by emergency order, weekly periods during which the department shall issue a supplemental permit for 10 additional sockeye salmon to a permit applicant who has met the annual limit. King salmon may not be taken under the authority of a supplemental permit. A supplemental permit will be valid from Monday to the following Sunday of the week in which the surplus salmon are expected to be present in the Chitina Subdistrict. The department may specify other conditions in a supplemental permit. The department may issue an additional supplemental permit to a permittee who has met the limits of a previously issued supplemental permit.

#### **Existing Federal Regulations:**

§ \_\_\_.27(i)(11) Prince William Sound Area

*(x) The total annual harvest limit for subsistence salmon fishing permits in combination for the Glennallen Subdistrict and the Chitina Subdistrict is as follows:*

- (A) For a household with 1 person, 30 salmon, of which no more than 5 may be Chinook salmon taken by dip net and no more than 5 Chinook taken by rod and reel;*
- (B) For a household with 2 persons, 60 salmon, of which no more than 5 may be Chinook salmon taken by dip net and no more than 5 Chinook taken by rod and reel, plus 10 salmon for each additional person in a household over 2 persons, except that the household's limit for Chinook salmon taken by dip net or rod and reel does not increase.*
- (C) Upon request, permits for additional salmon will be issued for no more than a total of 200 salmon for a permit issued to a household with 1 person, of which no more than 5 may be Chinook salmon taken by dip net and no more than 5 Chinook taken by rod and reel, or no more than a total of 500 salmon for a permit issued to a household with 2 or more persons, of which no more than 5 may be Chinook salmon taken by dip net and no more than 5 Chinook taken by rod and reel.*

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No

**Impact to Federal subsistence users/fisheries:** Yes. A significant harvest increase in the Chitina Subdistrict personal use fishery could reduce the number of salmon available for Federally qualified subsistence users in this Subdistrict. It could also reduce the number of salmon available for both Federally qualified and State subsistence users in the Glennallen Subdistrict.

However, if the escapement goal at Miles Lake is increased to allow for the additional harvest upstream then there should be little impact to Federally qualified subsistence users or Park fishery resources.

**NPS position/recommended action:** Oppose. The department currently has the Emergency Order authority to increase harvest by providing a supplemental permit (for an additional 10 sockeye salmon) when the actual numbers of salmon estimated past the Miles Lake sonar sufficiently exceed the preseason projection for a specific fishing period. Adoption of this proposal would reduce the department's flexibility in reacting to inseason salmon abundance.

In addition, adoption of this proposal would reduce the number of salmon available to Federally qualified subsistence users in the Chitina and Glennallen Subdistricts since these fishery resources are already fully allocated. A reduction in salmon abundance could result in Federally qualified users not meeting their subsistence needs or having to work harder to achieve those needs. This would be contrary to a basic tenet of ANILCA

that provides a subsistence priority to rural residents having customary and traditional use of Copper River salmon in the aforementioned Subdistricts.

If the escapement goal at Miles Lake is increased to allow for the additional harvest upstream then there should be little impact to Federally qualified subsistence users or Park fishery resources and we would be neutral on this proposal.

**National Park Service (NPS) Comment on Prince William Sound and Upper Copper/Upper Susitna**

**Proposal 25**

**Proposal 25** requests that in the personal use dip net fishery in the Chitina Subdistrict of the Upper Copper River District the Chinook salmon annual harvest limit be raised to four per household. One Chinook salmon would be recorded on the household personal use permit as is the current regulation. Each additional Chinook salmon to a maximum of three would be recorded on the permit holders sport fishing license. These Chinook salmon would be subtracted from the permit holder's allowable harvest of Chinook salmon in the Gulkana and Klutina rivers.

**Existing State Regulation:**

**5 AAC 77. 591. Copper River Personal Use Dip Net Salmon Fishery Management Plan and 5 AAC 52.024. Harvest record required; annual limit.**

(e) The annual limit for a personal use salmon fishing permit is 15 salmon for a household of one person and 30 salmon for a household of two or more persons, of which no more than one may be a king salmon. However, when the department determines that a weekly harvestable surplus of 50,000 or more salmon will be present in the Chitina Subdistrict, the commissioner shall establish, by emergency order, weekly periods during which the department shall issue a supplemental permit for 10 additional sockeye salmon to a permit applicant who has met the annual limit. King salmon may not be taken under the authority of a supplemental permit. A supplemental permit will be valid from Monday to the following Sunday of the week in which the surplus salmon are expected to be present in the Chitina Subdistrict. The department may specify other conditions in a supplemental permit. The department may issue an additional supplemental permit to a permittee who has met the limits of a previously issued supplemental permit.

**Existing Federal Regulations:**

§ \_\_\_\_ .27(i)(11) *Prince William Sound Area*

*(x) The total annual harvest limit for subsistence salmon fishing permits in combination for the Glennallen Subdistrict and the Chitina Subdistrict is as follows:*

*(A) For a household with 1 person, 30 salmon, of which no more than 5 may be Chinook salmon taken by dip net and no more than 5 Chinook taken by rod and reel;*

*(B) For a household with 2 persons, 60 salmon, of which no more than 5 may be Chinook salmon taken by dip net and no more than 5 Chinook taken by rod and reel, plus 10 salmon for each additional person in a household over 2 persons, except that the household's limit for Chinook salmon taken by dip net or rod and reel does not increase.*

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No

**Impact to Federal subsistence users/fisheries:** Yes. This proposal would increase the harvest of Chinook salmon in the Chitina Subdistrict. There would then be fewer Chinook salmon available for subsistence harvest in the Chitina and Glennallen Subdistricts. Increased harvest could also negatively affect the sustainability of some of the smaller, unmonitored Chinook salmon stocks.

**NPS position/recommended action:** Oppose. Since this resource is fully allocated, this proposal would reduce the number of Chinook salmon available to both Federally qualified and State subsistence users in the Glennallen Subdistrict and Federally qualified subsistence users in the Chitina Subdistrict. This would be contrary to both the Federal and State subsistence priorities.

**National Park Service (NPS) Comment on Prince William Sound and Upper Copper/Upper Susitna**

**Proposal 27**

**Proposal 27** requests that the Chitina Subdistrict be expanded to include the waters of the Chitina River from its confluence with the Copper River upstream to its confluence with the Kuskulana River.

The Chitina River enters the Copper River from the east immediately downstream from the Chitina-McCarthy Bridge. The Kuskulana River is approximately 10 miles upstream from the Chitina River's confluence with the Copper River. If adopted, this proposal would approximately double the linear miles of river in the Chitina Subdistrict.

**Existing State Regulation:**

**5 AAC 77.591 Copper River Personal Use Dip Net Salmon Fishery Management Plan.**

*(h) For the purposes of this section, the Chitina Subdistrict consists of all waters of the mainstream Copper River from the downstream edge of the Chitina-McCarthy Road Bridge downstream to an east-west line crossing the Copper River as designated by ADF&G regulatory markers located approximately 200 yards upstream of Haley Creek.*

**Existing Federal Regulations:**

**Prince William Sound Area**

*50 CFR 100.4 (Area, District, Subdistrict and Section) adopts the State's definition of the Chitina Subdistrict by reference.*

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No

**Impact to Federal subsistence users/fisheries:** Yes. Expanding the Chitina Subdistrict to include waters of the Chitina River could reduce the number of sockeye salmon spawning in the Chitina River, which could decrease future production from this system. The number of sockeye salmon spawning in the Chitina River is not known. However, it is known that this stock contributes to the Prince William Sound commercial fishery, to the Chitina Subdistrict State personal use fishery and to the Federal subsistence fishery in this Subdistrict. Allowing a personal use fishery in the Chitina River on a sockeye stock that is probably already fully utilized by existing fisheries and for which a biological assessment has not been conducted could compromise the sustainability of the resource.

**NPS position/recommended action:** Oppose. Increased harvest would reduce the number of salmon reaching the spawning grounds, which could potentially lower production from the Chitina River, and may reduce the harvestable surplus currently available in the existing Chitina Subdistrict. A reduction in the harvestable surplus would negatively impact Federally qualified subsistence users and State personal use fishers who would continue to fish here.

Under the provisions of 36 CFR 2.3, fishing in fresh waters by any method other than hook and line is prohibited unless you are a local, rural resident who is qualified to engage in subsistence. Adoption of this proposal would place non-local residents in violation of National Park Service regulations. Also, there is a lack of road access to the Chitina River. Anyone wishing to access the river over land would have to cross Native Corporation land or other private lands and trespass would then become an issue.

RC 20

## **NUSHAGAK ADVISORY COMMITTEE**

**9 a.m. November 14, 2008**

**Dillingham City Council Chambers**

**DILLINGHAM, ALASKA**

### **DRAFT MEETING MINUTES**

#### **1. CALL TO ORDER**

Chairman Hans Nicholson called the meeting to order at 9:23 a.m.

#### **2. ROLL CALL/ESTABLISH QUORUM**

Members present at roll call were: Curt Armstrong, Victor Sifsof, Hans Nicholson, Kenny Wilson, alt. William Johnson, Dennis Andrew-New Stuyahok, Joseph Wasilly-Clarks Point, Wassillie Tugatuk-Manokotak, John Bavilla-Togiak.

#### **3. APPROVAL OF AGENDA**

After amendments, William Johnson moved to adopt, Dennis Andrew seconds. Unanimous approval.

#### **4. APPROVAL OF MINUTES**

After pointing out one typo to be corrected, the committee approved the February 15, 2008 meeting minutes.

#### **5. INTRODUCE STAFF AND GUESTS**

The ADF&G staff present for all or part of the meeting included: Joe Chythlook, Boards Support; Tim Sands and Matt Jones, Area Biologists Commercial Fish; Jim Woolington, Area Biologist Wildlife Conservation; Craig Schwanke, Area Biologist Sport Fish; Ted Krieg, Subsistence Division; Andy Aderman, Tevis Underwood, and Paul Liedberg, TNWR; Fritz Johnson, BBEDC; Frank Woods, BBNA Natural Resources; Members of the public arriving later in the meeting – John Bennett, Dave Pederson

#### **6. STAFF REPORTS**

**A.** Fritz Johnson referring to BBEDC's letter asking the BOF to reconsider their Anchorage meeting and have it in Dillingham. With approximately 800 permit holders in the Bristol Bay watershed with around 2500 participants in the fishery (crewmembers, captains, etc.), it is cost prohibitive for local residents to attend the meeting outside the Bay. BBEDC is willing to help anyone draft comment, testimony, or proposals to the Board in preparation for the upcoming board cycle.

Justin Rodgers, ADF&G enforcement gave an overview on this years activities during the sport and commercial fishing and game seasons.

Spring Bear - No violations, harvest was similar to past seasons, he's had to split personnel with enforcement in Unit 9.

Herring – This is the third year in a row that enforcement was minimal because of shortages of manpower. With limited fishery participants and enforcement budget limitations there hasn't been much of an enforcement presence.

Salmon – He thought that the enforcement activities in the Bay were quite normal. They wrote 25 misdemeanor and 50 other tickets. They've had budget issues and their main enforcement vessel arrived late. They need a boat for Togiak as the 32 footer is used elsewhere and that by that time the seasonal help is gone.

Sport Fish – They wrote 60 tickets; mostly no license, no stamps, not logging harvest. They had two officers in King Salmon and one in Dillingham.

Hunting – He thought that numbers of hunters was fairly normal. They wrote about a dozen hunt violations, up slightly over last year. Most offenses were non-salvage or salvaging antlers before meat. Overall, not much trouble this year.

Trapping – They issued one closed season ticket. Not in court yet.

The committee discussed enforcement issues and shortfalls. Justin does a good job with available resources, but needs additional personnel and money to do a better job.

Craig Schwanke, Sport Fish reported that they have two ongoing research projects. One is a long-term Rainbow Trout study in the Wood River Lakes. Project goals are to find out where they spawn, migration routes, health of resource, etc.. They've learned a lot. The other project is on Dolly Varden in Lake Iliamna.

Joe Chythlook, Board Support advised the committee that the BOG proposal deadline is December 5 and the BOF deadline is April 15. The current budget is similar to last year, only one meeting per year. He is still coordinating a portion of the Kuskokwim area. The BOF has decided that they will have the Bristol Bay meeting in Anchorage. The BOF will take up the trawl issue at their Cordova meeting December 7.

Ted Krieg, Subsistence Division reminded everyone that subsistence salmon permit reports need to be turned in. The division has two projects going on. The Bering Sea Integrated Research Program involves 5 coastal communities. Togiak is included. They are documenting local and traditional knowledge and conducting a baseline survey on local food resources. Plans are to form a local advisory group with goals to conduct research in the Bering Sea. The department will be doing a baseline subsistence survey to document subsistence harvests in Clarks Point and Aleknagik.

Tim Sands, commercial fisheries reported that this year's herring fishery got off to a late start on May 16<sup>th</sup>. There were 28 gill-netters, 23 seiners, and 7 processors. The seiners harvested 97% their allocation but a late season storm prematurely terminated the gillnet season ending May 31 with 70% of their quota taken.

Hans was concerned about the trawlers taking a lot of herring because he's witnessed aggressive fishing pressure near shore while the herring are out-migrating along the Nushagak Peninsula. He thought that they have the potential of taking as much or more during the directed herring fishery and the impact on herring stocks. He's fished herring since 1980 and has witnessed the trawlers near shore efforts each year. Tim's response was that the fishery occurs in Federal waters and that he isn't able to do anything about it. He says that according to trawler records two years ago indicates that there's minimal by-catch of herring and king salmon, although there is a higher by-catch of halibut.

Salmon: There were two directed king salmon openers with very small harvests. Since the run did not come in as projected and very late, and with the kings coming in well behind the escapement curve, Tim closed the fishery to get escapement up the river ending up with around 96000 post season for escapement. Most kings came late during the sockeye season. The new king forecast will be out next week but is anticipating a run of 145000 kings. A lot of uncertainty remains though because of the trend of low king harvests statewide.

2008 was the 5<sup>th</sup> largest harvest in the Nushagak with 6.9 million. Escapement numbers for Nushagak River at 487,800, Wood River at 1.7 million, and the Igushik at 1 million. Allocation was 79% drift and 21% Set, Igushik Set was 5%. The new forecast is out with a 8.9 million run for the Nushagak River. Management provided lots of opportunity during the sockeye fishery. Wassillie Tugatuk was concerned about the over-escapement in the Igushik as there were a lot of salmon in the lower and upper Igushik Lakes. Tim response was that he provided adequate fishing opportunity but it was more of a buyers issue as there was only one company buying there. He is faced with more budget cuts for 2009 and higher operating costs.

Coho: Management allowed three 15-hour periods per week and timed the openers with the tides to allow conservation of fuel for the fishermen. Harvest was approximately 80,000 but didn't have any escapement estimates as the tower was pulled. The silvers ran late but Tim thought that the run was strong based on commercial, subsistence, and sport harvests. He thinks that next year may be weak as even years are usually stronger.

Matt Jones, Togiak biologist reported that the Togiak harvest was 649,000. The tower was in place from July 2 – August 5 and counted 206,000 escapement. They were 56,000 above the mid-point escapement level. Chinook was lower than forecast with a harvest of 3000. Chum harvest was around 289,000 and incidental Coho harvest was 944. There were no commercial openings for silvers as there were no buyers to take Coho.

Frank Woods, BBNA: Frank is still working on the migratory bird harvest survey. Prior to the end of the fall moose season, he has received multiple requests from the up-river villages and Aleknagik to extend the season as local harvests were low. It was a warm and late fall and the moose just didn't start moving around until the last week of the season. With the current regulations, it takes too long to address emergencies or petitions to the Board whenever a request is made. He would like to see emergency order authority given to our game managers to authorize season extensions. It took him awhile

to get up to speed on the Board process and would like to start an educational project that would educate locals on the regulatory process it would take to enact regulation. We just don't see much interest from the younger generation as what we see in our meetings is generally older people. He would like to see more interest at the local level.

Andy Aderman, TNWR: Andy reported that caribou count on the Nushagak Peninsula is 556. Two years ago it was 546 and he thought that the herd may have found it's optimum sustainability number. The composition survey last fall showed that there were 44 bulls/100 cows. There was 50 calves/100 cows. This is very encouraging as the herd isn't decreasing and is increasing slowly with good ratios and better overall health of the caribou. The Nushagak Peninsula Caribou Planning Committee met on October 10 and decided that they would allow a limited hunt authorizing 5 permits for a winter hunt only to the residents of Manokotak. They will be conducting another count as soon as conditions improve. They estimate that there are 700 brown bears on the Refuge with a density of 40 bears per 1000 sq. kilometers.

Caribou in Unit 17A range is that same as 5 years ago. The overall health of the caribou and food source is healthy. The overall weights of caribou haven't changed since the 1990's but what is encouraging right now is that more 2 year olds are now having calves. This is an indicator of overall health improvement and good food resources.

Hans calls for a lunch break at 12:00 pm. and requests that we take up the trawling issue right after lunch.

Robin Samuelson is here at 1:05 pm.

Back to order at 1:08 pm.

Trawling Issue: Hans asks Robin to bring us up to speed on background and present issues.

Robin explains that recently there were two deliveries in State jurisdiction and that there was an incident between a 32-foot herring fisherman and 1 trawler. The Coast Guard investigated the incident. There were also reports by campers along the Nushagak Peninsula of trawlers fishing inside the 3-mile limit and so close to shore that their buoys and nets didn't even go under water. Through investigation by the state and federal agencies is when they found out that there was a loophole in regulation that needed to be addressed at the state and federal level. Of issue are allegations of fishing in State waters and delivering in Federal waters, gear conflicts with halibut fishermen, by-catch, and impacts to local sea mammals. The BOF will be addressing the State regulations during the Cordova meeting and the North Pacific Fisheries Management Council will be addressing Federal regulations during their March 09 meeting. Robin mentions that the department's recommendation is to close state waters. The halibut by-catch is higher than the near-shore directed fishery.

Two local halibut fishermen indicate that the trawl fleet has economically impacted them. Ensuing discussion of trawlers dragging up local fishermen's halibut gear and where they sometimes deliver in State waters. They felt that their catches are low because the trawlers are catching them. Consensus by committee and locals in attendance was that they would like to see the trawl fishery closed. Multiple reasons stated were the impact to local fisheries, disturbances to walrus on and near the Round Island haul-out and impact to the clam beds in the vicinity that they rely on. This was the first year that subsistence walrus hunters did not find walrus on Round Island to harvest. Halibut fishermen said that the trawl fishery should be closed to improve their halibut catches.

Robin mentions that two years ago the trawlers made deliveries to processors anchored at Nicholas Hills in the Nushagak River and at Hagemeister Island, both in State waters. Both incidents involved trawlers dragging their nets there to deliver while pulling up local halibut fishermen gear.

Hans mentions that the Qayassiq Walrus Commission is very concerned about walrus disturbances around Round Island, destroying local clam beds and habitat that they rely on, and other impacts to other local sea mammals.

**Robin makes a motion to adopt and support that section of proposal 369; 5AAC 39.165(3) that would close all trawl fishing in Bristol Bay. William Johnson seconds.**

**Committee unanimously supports.**

Robin also recommends that the Chairman write a letter to the NPFMC to close trawl fishing in Bristol Bay. The intent is to close the regulatory box and make all of Bristol Bay a closed area. The committee agrees by consensus that the chairman would write the letter and testify at the March meeting.

Jim Woolington, Wildlife Conservation.

Brown Bears harvested and tagged in unit 17 is about 120. This year's harvest is about the same as the past few years with 80% of the harvest taken in unit 17b by non-resident hunters. Brown Bear population statewide is increasing supported by claims of locals saying that bear numbers are increasing.

Wolf populations are healthy with harvests contingent on snow cover for traveling, price of gas, and cost of maintaining or buying equipment. Daily bag limits are adequate (10/day) and encourages hunting and trapping. Definitely no shortage here.

Robin says that he's never seen so many predators in all the years that he's had a cabin up-river since the early 80's. The caribou are gone, moose calves are gone, and reports of lots of wolves everywhere people are hunting. We need to step up to Intensive Game Management. Jim says that he will present later and doesn't have any information on wolf population estimates, just observations that there are lots of them. Harvest is staying about the same. Predator control programs are immediately taken to court. In the past the State has had to pay ½ million dollars per year just to defend current programs.

The Southern Alaska Peninsula predator program approved by the Board last year is a success. The department killed 14 adult wolves and 14 pups. The media portrayed the department as “baby killers”. This negative coverage makes it harder to promote predator management through proposals and board process as the media and protective groups fight us every step of the way. All we ever hear is negative media and no one praising the department for the good work they’re doing. The caribou herd on the South Peninsula has turned around with a very good calf to cow ratio now. The herd was in serious decline but now looks like it is turning around.

Joseph Wasilly excused at 2:15 pm. to attend a funeral.

The committee agrees that much of the negative media hurts and we need to adequately manage our predators through a predator management program instead of calling it predator control. We support the department’s intent and program and would like to see it expanded to help us in our unit.

Moose: Hunter numbers during the fall registration hunt is about the same as prior years although resident hunters make up a higher and increasing component overall. There was 819 registration permits issued, still waiting on 53 reports. 190 moose reported taken. The winter hunt is coming up December 1-31. He has no current reliable moose composition counts or bull/cow ratio’s so is unable to give trends. He’s only been able to do moose a census last March in 17b when there was adequate snow cover. He thinks the moose population is staying about the same.

Caribou: The calf/cow ratio is improving at 23/100. The bull/cow ratio has dropped to 19/100. The last board cycle made changes by eliminating the same-day-airborne provision, reducing bull harvest, and changing the bag and season limits. Really hasn’t made a difference yet. Shows through a power-point presentation where caribou migration and calving areas has changed. Shows the rise and fall of the Nushagak/Mulchatna to the estimated population of 45,000 animals that are spread out as far west as Bethel, north to McGrath, east to Port Alsworth, and south to the waters of Bristol Bay. He is encouraged by the health of the caribou with higher calf/cow ratio’s similar to the Nushagak Peninsula Herd. Older females are being replaced by younger who are bearing calves at a higher ratio beginning at two and three years old. He feels that we could be in a rebuilding mode. Effects of change in population could be disease, predation, food limitation, age structure, harvest, climate, or all of the above?

Robin excused at 2:45 to attend a BBEDC teleconference.

In summary Jim explains that there are complex reasons for the rise and fall of the N/MCH. Age structure exacerbates decline, proportion of caribou hunters with more resident hunters than non-residents, most hunting and harvest in 17c. Harvest used to have a higher percentage of bulls, now it is nearly the same as cows. In 2007 it was 352 cows to 400 bulls.

Hans calls for a break at 3:10 pm.  
Back to order at 3:21 pm.

6 B) Hans is concerned about increasing numbers of bears and wolves and thinks that we should try to address those issues with proposals. He is concerned about caribou and wants to address ways to help that population through predator management or to maybe even drop the non-resident hunt as harvest is low in local communities. We meet intensive management on caribou because we are well below the range of 100-150,000 range and asks Jim if we meet it on moose.

Jim responds that we meet criteria on moose. 17c is above IM objective while 17b is below the objective. He agrees that Predator Management is the term we want to use. The 1996 initiative took away the same-day-airborne provision and took away the department's biggest tool to manage wolves. He mentions that over the past few years there've been lots of proposals submitted to do predator control but failed at the board level. The present BOG and current administration is very supportive on predator management.

Hans asks if we could submit a proposal with different language but with same intent for moose in 17b,c. Jim thinks so.

William Johnson excused for family matters at 4 pm.

Ensuing discussion from committee members on increased numbers of predators upriver and elsewhere and their impacts on moose and caribou calves. Community members don't hunt as much as they would like to because snow machines and gas is very expensive.

Hans wants to stay focused on issues. Predator Management first then others.

**Curt Armstrong moves to adopt a proposal to start a predator management program for conservation of Moose in 17b,c. Victor Sifsof seconds.**

Discussion on the merits of such a program and sustainability of the moose calf population affected by predation is an issue especially when both bears and wolves are preying on them. Such a program would certainly help calves survive. Testimony from committee members indicates an overwhelming and increasing presence of bears and wolves near and around communities. Villagers are concerned about safety for children even during daylight hours. Consensus was that sustainability of moose and caribou herds is important, as there is more dependence on game as domestic costs escalate everywhere.

**The committee votes unanimously in support of the motion.**

Wasillie Tugatuk brings up the issue of the boundary between 17a and 17c because it causes confusion because villagers don't know where the boundary lines are. Concerned

because there are closed areas. Jim's response is that he is interested in opening a moose season in previously closed areas because moose populations have increased to the point where they could be over browsing. Asks if we could take it up then.

Dan Dunaway is seated at 3:25 pm.

Joe informs the committee that the BOG will be addressing the N/MCH herd dynamics as a whole across multiple GMU's. During the last Board cycle, any proposals dealing with the N/MCH were deferred and will be taken up as a whole.

Jim gives an overview of current seasons, bag limits, and areas open and closed. He proposes that we can open Sunshine Valley, the Weary River drainage, and portions of Remainder of 17c. This would address concerns of local hunters from Dillingham, Manokotak, and Aleknagik in years that the Wood River doesn't freeze over soon enough to cross and hunt.

The proposal would be a registration winter hunt to open the portion of western 17c in mention, address moose in 17b,c; would be a registration hunt 24 hour reporting in new area, keep the Iowithla drainage closed, would be for an antlered bull only, there would be a road corridor closure along the Aleknagik Road within ½ mile. The intent of the proposal would be to simplify regulatory language and reduce confusion while giving hunt opportunity and additional area.

William Johnson back at 4:51pm.

**Victor Sifsof moves that we cosponsor this proposal with the department. Dennis Andrew seconds.**

Consensus from the committee was such that it addresses concerns of boundary line confusion, gives additional hunt opportunity, addresses concerns over inability to cross the Wood River in years that it is unsafe and when hunters are unable to do so, and simplifies regulatory language.

**Committee votes unanimously in support.**

Discussion ensues on penalty for not turning in harvests reports. Although it penalizes hunters and families that need meat, it empathizes the need for accurate and timely record keeping for management.

**6 C.** Other. During the last BOF meeting, they decided that they would hold the Bristol Bay meeting in Anchorage. When Hans goes to Cordova, he will petition the Board to reconsider and bring the BOF meeting back to Dillingham.

**7.** No Old Business

**8.** Next meeting shall be at the call of the chair. Could be sometime late January or February to discuss game proposals, elections, and draft fishery proposals.

**9.** Meeting adjourned at 5:08pm.

**These minutes provided courtesy of the Bristol Bay Native Association**

RC 21**Bristol Bay Economic Development Corporation**

P.O. Box 1464 • Dillingham, Alaska 99576 • (907) 842-4370 • Fax (907) 842-4336 • 1-800-470-4370



John Jensen, Chairman  
 Alaska Board of Fish  
 P. O. Box 115526  
 Juneau, Alaska 99811-5526

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26 2008

BOARD

Dear Chairman Jensen and Board members:

The Bristol Bay Economic Development Corporation represents 17 villages within the Bristol Bay region with over 6,000 people.

BBEDC vigorously supports provisions of **Proposal 369**. (previously ACR 3), put forward by the Alaska Department of Fish and Game, closing all the State waters of Bristol Bay to trawling.

As ADF&G's proposal points out, existing state regulations on the subject are conflicting, allowing trawl fishing near shore and the Board needs to take action.

We urge you to repeal paragraph (7) of 5 AAC 39.164 that allows trawling in Bristol Bay State waters, or, as an alternative, adopt consistent regulations that would ban all trawling in the waters of Bristol Bay. In addition to the confusion of the conflicting regulations, local halibut fishermen have had conflicts between local halibut fishermen and the trawlers which is not a healthy situation for the local halibut fishermen.

This area is a highly sensitive area to Walrus, king salmon, halibut, seals and herring. Fishing with trawl gear in these shallow waters is also very disruptive to the bottom habitat. I have heard from local folks that these trawl fishermen are fishing in such shallow water that the nets are floating, this is not good.

Local concerns over marine habitat destruction and its impact on fish populations, marine mammals, and their food sources suggests that we ought to err on the side of caution to protect important near-shore commercial and subsistence resources. Thank You.

Sincerely,

H. Robin Samuelsen Jr.  
 CEO/President

RC 22

UNALASKA /DUTCH HARBOR, FISH AND GAME ADVISORY COMMITTEE  
PO Box 162 Unalaska, AK 99685

ADVISORY COMMITTEE MINUTES

DATE: November 22, 2008

UNALASKA PUBLIC LIBRARY MEETING ROOM

UNALASKA, ALASKA

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NOV 25 2008

BOARDS

1. CALL TO ORDER-Chairman Frank Kelty called the meeting to order at 12:05 PM
2. Roll Call- present, Frank Kelty, Don Graves, Don Goodfellow, Reid Brewer, Alyssa McDonald, and Roger Rowland quorum established. Absent -Sinclair Wilt, Pete Hendrickson and Zac Nehus Guests included Forrest Bowers ADFG, Elisa Russ, ADFG Paul Wilkins, NMFS
3. APPROVAL OF AGENDA-Don Graves moved/Don Goodfellow seconded motion to approve agenda adopted 6-0.
4. APPROVAL OF MINUTES-Don Goodfellow moved/Reid Brewer seconded minutes adopted 6-0.
5. OLD BUSINESS
  - a. ADFG UPDATE: Forrest Bowers of ADFG gave an update on the status and harvest amounts on the current Bering Sea/Aleutian Island crab fisheries that are in progress, which include the Bristol Bay Red King Crab, Eastern Aleutian Tanner Crab, and Aleutian Island Golden King fisheries. Forrest also announced the opening of the Eastern Aleutian Island Tanner Crab fishery on January 15, 2009 in Unalaska Bay Makushin/Scan Bay and Akutan Bay areas total quota for those areas 128,000lbs. He also discussed the survey methods used by the department in these areas.
  - b. Committee member Roger Rowland, gave update on his trip provided by Shell Oil to their offshore operations in the Gulf of Mexico. Roger was very impressed by what he saw on the trip and came away with the feeling that oil development can be done safely in seafood producing areas. This trip was put together to inform seafood industry representatives in Alaska

on the way Shell does business in the Gulf that has allot of seafood harvesting and processing and that the two industries coexist very well in the Gulf of Mexico. This was a primer for seafood industry folks to not oppose oil and gas development in the North Aleutian basin area by Shell and other industry members when lease sales move forward in 2011.

## 6. NEW BUSINESS

- a. Review and Comment on Supplemental Proposals 369-375 by the Unalaska Advisory Committee as well as ADFG Staff comments on the proposals by Forrest Bowers of ADFG.

**Proposal 369, 5AAC 39.164(b) (?) Non-pelagic trawl gear restrictions; and 5 AAC 39.165(3) trawl gear unlawful.** Motion by Rowland second by Graves, Discussion this proposal clarifies state regulations on non-pelagic trawl closure in the Bristol Bay area a housekeeping issue passed 6-0 by the committee. ADFG staff comments in support as well.

**Proposal 370- 5AAC 39.167 Commercial fishing gear prohibited in waters of Alaska surrounding essential fish habitat areas.** Motion by Graves second by Goodfellow, Discussion this proposal adds two areas of state waters for closure to non-pelagic trawl gear to compliment the recent EFH closures in federal waters, by the federal government in the Bering Sea. This is Housekeeping issue and brings the state in compliance with new federal regulations, passed 6-0 by the committee. ADFG staff comments also in support as well.

**Proposal 371- 5AAC 28.647(d) (3) Aleutian Island District Pacific Cod Management Plan.** Motion by Graves second by MacDonald, Discussion this proposal reduces all vessels to 60 feet in length for all gear types in the Aleutian Island District Pacific Cod fishery, committee members expressed concern about safety, majority of this fishery takes place in the A season a winter time fishery. Unalaska would be impacted by larger vessels that harvest cod and make landings in Unalaska will be shut out of the fishery, local impacts would be seen for the local processing plants, city revenues and to support sector businesses. It was also pointed out that if cod didn't come back to Unalaska for processing secondary products such as cod milk which is very valuable product may not be processed for shipping out fresh to markets overseas. Historically not a small boat fishery most of the fish has been harvested by medium sized trawlers, committee felt small boats wouldn't do well in a winter time fishery this proposal would hurt larger vessels and there investments in there operations and it should be pointed out that the larger vessels that have fished this area have pioneered the cod fishery in this area. Motion to adopt failed 6-0; ADFG staff comments were neutral on this proposal.

**Proposal 372- 5AAC 28.647(d) (7) Aleutian Islands District Pacific Cod Management Plan.** Motion by Rowland second by Graves Discussion this proposal reduces daily catch limit from 150,000lbs to 75,000lbs. Another proposal aimed at restricting large vessels operations in the Adak area not justifiable. The fishery is manageable as is; if trip limit is lowered we could see more vessels getting fines for being over the smaller trip limit. With vessels facing high fuel costs and other expenses at this time lowering the cod trip limit doesn't make sense and shouldn't be approved. Motion to adopt failed 6-0; ADFG staff comments were neutral on this proposal.

**Proposal 373-5AAC 28.087 Management Plan for Parallel Groundfish Fisheries.** Motion by Rowland, second by Brewer. Limit longline vessels to 55 feet in the Bering Sea /Aleutian Island Pacific Cod state water parallel fishery. Discussion, committee somewhat split on this issue some didn't want to restrict new entrants into the cod fishery. The large freezer longliners CP's already control the majority of the Cod TAC why do they need more. This proposal would stop new entrants in the fishery from double dipping on two cod sector allocation. Many of the new entrants do business with local processing plants and contribute to the local economy and support local businesses in Unalaska and they should be supported. Motion to adopt failed 3-2 and 1 abstention. ADFG staff comments were neutral on this proposal.

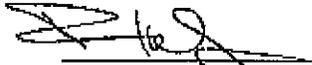
**Proposal 374, 5 AAC 28.087 Management plan for parallel Groundfish Fisheries.** Motion by Rowland second by Brewer. This proposal seeks to amend the management plan to allow the commissioner to require additional reporting requirements for catcher processors during the during the state water parallel fishery. Discussion good proposal levels the playing field and get needed information to the department will help management of the fishery. Motion to adopt passed 6-0 by the committee, ADFG staff comments in support of the proposal.

**Proposal 375, 5 AAC 28.075 Utilization of Pollock and Pacific Cod taken in a commercial fishery.** Motion by Rowland second by Graves. This proposal seeks to amend this regulation to require that all groundfish taken in a commercial fishery to be reported on the fish ticket. Housekeeping issues for the state. Committee supports proposal, but still worried that a loophole exists if a vessels splits his offloads between two plants how will the bycatch be reported between the plants? And what if the vessel dumps his bycatch before moving on to finish his offload at the second plant. Motion to adopt passed 6-0 by the committee, ADFG staff comments in support.

- b. Advisory Committee Member Travel to Cordova BOF meeting. Don Graves passed on attending the meeting, Alyssa MacDonald was going to try to attend. she would get back to Chairman Kelly on her travel.
- c. Voice of the Membership, Don Graves asked about the proposal for

a Unalaska Bay trawl ban, Chairman Kelty replied said that would come up at the next meeting and he would have a draft proposal for review by the committee.

7. NEXT MEETING DATE and TIME, next meeting would be by the call of the chair probably in early February 2009.
8. ADJOURNMENT at 2:00PM

 11-26-08  
Frank Kelty Chairmen

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RC 23

2008

11/28/2008

BOARDS

Comments to BOF RE: PWS salmon seine proposed gear change-Proposal #83

Dear Mr. Chairman and Fellow Board members!

Hello, my name is Jamie Ross, I am from Homer, Alaska, and I have been a commercial fisherman here in Alaska for the past 27 years- I participate in all of the Herring Sac Roe seine fisheries in Alaska, and I have seined and gillnetted in three different salmon areas across Alaska. I also am a Halibut Longliner.

As many of you know, I have been seining for salmon for the past decade in Chignik, but decided to move to the PWS salmon seine fishery this past summer. My reason was to have more opportunity to see and have my family spend time with me during the summer - PWS's proximity to Homer is perfect - and we had a very fun time. However, I was a little troubled by the gear change that I had to make from my Chignik salmon seine, and that is why I support Proposal # 83 from Rob Nelson.

Rob is asking the BOF to allow fishermen in PWS to have a CHOICE in how they use a "lead". Currently, one MUST have 75 fathoms of "lead web" that is a minimum of 7", on the end of your seine. (Typical salmon web is 3.5") Proposal # 83 asks the Board to allow fishermen the CHOICE to use this large "lead web" or not - if this proposal passes, you could use standard salmon web throughout your seine if you wanted to.

The overall length of a PWS seine is 225 fathoms - coincidentally the same length as a Chignik salmon seine. HOWEVER, a Chignik seine can be 375 meshes deep,(compared to a PWS seine maximum depth of 325 meshes) and a Chignik seine DOES NOT have to have 75 fathoms of this 7" minimum "lead web".

When I moved to PWS, I had to spend \$4500 to buy this specialized "lead web" to put in the last 75 fathoms of my seine (I also had to chop 50 meshes off the bottom) I had never used "lead web" in a seine, but my first thought was, "aren't all those pink salmon just going to swim through that gigantic web!!

I talked to Rob at length about this, and he said it was quite a problem in many of the areas of PWS - you could actually see pink salmon swim right through the web all the time! This made no sense at all to me - you go ahead and seine up a bunch of pinks only to have them swim through your 7" lead web - but I complied with the regulation, and was curious to see how this gear change affected my season.

Apparently, this "lead" regulation stems from back when everybody in PWS used the practice of "double pinning" - using a separate lead that detached from the main seine, and storing that lead in the seine skiff or "jitney". Apparently this was partially due to smaller seine vessels, and the need to get in very shallow to catch the pinks. Many PWS seiners still practice this technique, and actually, they can have a significant advantage

over those of us who use a permanently attached lead to our seines. They can set a very shallow lead with their very shallow skiff in very shallow water, and get to the pinks that hug the beach - and catch fish that the rest of us can only dream of! On the other hand, I think that those of us with attached leads tend to be able to haul gear a little faster.

After my first year in PWS, I absolutely support Rob's proposal because it is a totally fair idea - No one is FORCED to change their seines if they don't want to - this is an CHOICE kind of a proposal, which I always prefer. Those who want to keep using leads - "double pinners" or people who prefer lead web - can keep on using lead web, and those of us who would rather use all salmon web with an attached lead can CHOOSE to do that.

I totally agree that you lose pinks through this 7" web! You see it all the time, and in Valdez, where the water is murky, you can see the corks jiggle, and there go the fish! I also think you tend to get more "gillers" in this 7" "lead web", which results in poor fish quality and wastage. Why would you want to allow fish to swim through the web, when this is mostly hatchery fish, and we are only allowed to fish after cost recovery, and when brood stock concerns are known to be met? This seems very wasteful of fuel and resources, when we just end up having to make more sets to catch the fish!

Another observation that I made which is quite surprising to me, is that it turned out that my PWS seine is much HARDER to tow through the water, than my Chignik seine - EVEN THOUGH MY CHIGNIK SEINE WAS THE SAME LENGTH, AND 50 MESHES DEEPER!

How could this be? I am convinced that the 75 fathoms of "lead web" causes much more drag through the water, and therefore much more power has to be applied to the seine to move it through the water! Coming right from Chignik gave me a particular perspective on this point!

This 7" web is much, much thicker than standard salmon web. Salmon web is typically #15 - #18 thread, and the lead web is probably #72- #96 thread. I had to tow probably 100 - 200 RPM's harder, in less current than Chignik, to move my net through the water at the same rate. So not only do I have to make more sets to compensate for fish lost through the "lead web", but I also have to BURN MORE FUEL to tow the seine at the same rate! This is totally inefficient, especially with the high cost of fuel, and low price of salmon now-a-days!

Some may argue that having a permanently sewn on lead, with all salmon web, gives some boats a certain catching advantage, or perhaps that smaller boats can't haul a big seine on their decks, and that's why they have to have detachable leads. Well, I think both styles have their advantages and disadvantages. We could all argue about the various advantages or disadvantages certain gear or boat configurations have.

One thing we all have in common is the 58' vessel size limit - but there are myriads of types of vessels within this limit. A 58' long, 24' wide boat may be able to pack 140,000

lbs - but it draws 12' of water and can't get into the shallows that a 38' long, 12' boat that draws 2' of water can! So it makes perfect sense for us to have a gear regulation that has certain limits - we're not asking to change the 225 fathom length or 325 mesh depth limits - but to allow a person to make a CHOICE for using "lead web" or not! These choices are similar to the vessel choices one can make, and can certainly lead to a more efficient, cost effective fishery.

This gear change would not force anyone to make a change that they don't want to, and those who want to spend the money to replace their "lead web" with standard salmon web can. This proposal will save fuel, and lead to increased efficiency in harvests. This proposal would allow fishermen a CHOICE, and not discriminate in any way. This is a "win win" proposal for everyone, and that is why I support it!

Thank you very much for your time in reading these comments on Proposal # 83, and thank you for your time and consideration with regard to all of the Prince William Sound proposals at the Cordova Board of Fish meeting!

Sincerely,

Jamie Ross  
P.O. Box 3476  
Homer, Alaska  
99603  
(907)299-2081

FROM : DAVID R MARTIN

PHONE NO. : 907 567 3306

NOV. 28 2008 04:42PM P1

# STATE OF ALASKA

RC 24

## Central Peninsula Fish & Game Advisory Committee

Sarah Palin, Governor

RECEIVED

David Martin, Chair  
PO Box 468  
Clam Gulch, AK 99568

NOV 28 2008

BOARDS  
ANCHORAGE

Alaska Board of Fisheries  
Chairman Jensen and BOF members,

Nov. 25, 2008

At our Advisory Committee public meeting on Nov. 25, 2008 the AC Committee members and public present unanimously voted to send this letter to the BoF requesting that the Board reconsider their actions on the Board generated allocation proposal 379 (RC27) by rescinding this proposal or at the very least reschedule proposal 379 for the in-cycle Cook Inlet meeting for 2011. We request this action be taken at the PWS BoF Dec.1-7, 2008 meeting in Cordova. Early action will relieve the public, Board and the Dept. of an unnecessary burden of time, expense.

The manner in which proposal 379 was generated and approved by the Board is not acceptable or ethical and only continues to fuel public opinion that the Board disregards scientific data and takes actions driven by politics and special interest. RC 27 states inaccuracies that are based on assumptions, not facts that are supported by scientific and biological data.

The whole issue is suspect because RC 27 was brought before the Board, with absolutely no public notice, by Board member Mr. Delo in the last half hour of the Boards work session way up in Fairbanks. This was done after the Cook Inlet area ADF&G staff had gone home and the public present were told that there was nothing on the agenda to stay for and that the remaining agenda items were routine and nothing was new. **This is not open and transparent government!**

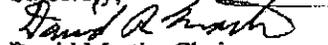
**The Department does not have conservation concerns for any Upper Cook Inlet (UCI) salmon stocks.** The 2005 regulations are clear and consistent. The Board just recently met in Feb. 2008 for the in-cycle meeting on Upper Cook Inlet and addressed 285 proposals on every issue imaginable including this one. Nothing is new! The BoF has failed this allocative issue four times since 2005. The current manage plans achieved desired escapement goals in the Northern District.

It is not true that the Board's action to take up proposal 379 out of cycle will not require any additional costs to the state agency. All of the past out of cycle UCI issues and proposals taken up by the BoF have cost tens of thousands of dollars and countless hours of time for the Department, Advisory Committees, special interest groups and the public. They should not have to incur the expense or be burdened once again because of an out of cycle meeting. Decreasing the public burden, expense and creating stability is part of the reason for the three year cycle.

The BoF should be responsible and ethical and rescind proposal 379. A bias and unethical opinion of the BoF was created when this out of cycle allocative proposal 379 was brought before the Board, by a Board member and approved in a work session in Fairbanks without any notice to the public or Cook Inlet area ADF&G staff. The proper course for this issue to come before the BoF is for the public to submit a proposal under the guidelines set up by the Boards and the State. That would entail submitting a proposal before the April 10<sup>th</sup> 2010 deadline to be addressed at the in-cycle 2011 UCI meeting.

We are also requesting a written reply from the BoF on this matter. Thank you.

Sincerely,

  
David Martin, Chairman

Cc: Gov. Sarah Palin  
Commissioner Denby Lloyd  
Cora Crome

Rep. Mike Chentault  
Rep. Kurt Olson  
Sen. Gary Stevens

Sen. Tom Wagoner  
Kenai Pean. Borough  
Mayor Dave Carey

FROM : DAVID R MARTIN

PHONE NO. : 907 567 3306

NOV. 26 2008 02:03PM P1

P. 1 of 6  
RC 25

ADVISORY COMMITTEE MINUTES

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NOV 26 2008

BOARDS  
ANCHORAGE

AC NAME: Central Peninsula

LOCATION (town): Niuvilchik, AK.

DATE (of meeting): 11-25-08

MEMBERS PRESENT: Steve Vanek, David Martin,  
John McCombs, Doug Blossom, Rich Mondor,  
Norbert Miller, Mike Schuster

MEMBERS ABSENT EXCUSED:  
Risa Vanek, Gary Nieman, Robert C Lucas,  
Jeff Bergen, ~~Robert Miller, ~~Steve~~~~

MEMBERS ABSENT UNEXCUSED:

QUORUM PRESENT: YES  NO

AGENCY STAFF PRESENT: Jeff Schriger, Ted Spraker  
John Barto - Enforcement officer for Fish & Wildlife

Time Meeting Called to Order: 7:05 PM

Old Business and New Business (See following pages)

Time Meeting Adjourned: 10 PM

Steve Vanek  
Signature, Committee Secretary

FROM : DAVID R MARTIN

PHONE NO. : 907 567 3306

NOV. 26 2008 02:04PM P2

Page 2 of 6

Central Peninsula Fish & Game Advisory Committee  
Meeting Attendance Sign in Sheet

Name/Organization	Mailing Address City, Zip Code	Interests (optional - see below)	Email/Phone
Steve Vaneck	P.O. Box 39103 Ninilchik, AK 99639		
David Martin	P.O. Box 468 Clam Gulch, AK 99568		
John McCombs	Box 39087 Ninilchik 99639	2,3,4,5,6 9,10	jmccombs@kpbsd.k2.ak 907 567 3334
Doug Dorman	Box 289 Clam Gulch AK		
Rex Meardon	P.O. 39167 NINILCHIK, AK.	2,3,4,5 8,9,	
NORBERT MILLER	PO Box 39083 NINILCHIK AK	2,3,4,5,9 12	667-3905
Bob Shavelson	Cook letterkeeper Po Box 3269 Homer AK 99603	2,3,4,5,9 12	bob@letterkeeper.org 2354068 x22
DAVE Blossom	P.O. Box 313 Kasilof AK. 99610	2,3,4,5,7, 9,10	348-7137 cisporifu@acs alaska.net
Mike Schwab	P.O. Box 39247 Ninilchik 99639		meondarin@ alaska.com
John Danman	P.O. Box 39428 Ninilchik 99639		
Rob Baets	Po Box 2139 Soldotna AK 99669		

Interest Groups: 1 - Trapping 2 - Sport Fishing 3 - Subsistence 4 - Hunting 5 - Commercial Fishing  
6 - Photography 7 - Guiding 8 - Processing 9 - Personal Use 10 - Outdoorsperson  
11 - Association/Corporation 12 - Conservationist

FROM : DAVID R MARTIN

PHONE NO. : 907 567 3306

NOV. 26 2008 02:04PM P3

Page 3 of 6

Central Peninsula AC

Minutes: 11-25-08

① Minutes read and approved

② Announcements:

Lynx hunting season - Nov. 10 - Jan 31  
bag limit 2

Lynx trapping Jan. 1 - 31st no limit

③ Jeff Salinger said the hare population is on the rise so lynx trapping liberalized

④ Board of Game proposal deadline is Dec. 5.

⑤ Board of Fish generated a proposal out of cycle in October to further restrict the drift fleet. Proposal 379

Doug Blossom moved; Norbut Miller seconded that we write a letter to the B of F requesting that proposal 379 be put into the regular cycle in 2009. Passed unanimously.

⑥ Next AC meeting and elections will be Jan. 13, 2009

FROM : DAVID R MARTIN

PHONE NO. : 907 567 3306

NOV. 26 2008 02:05PM P4

Page 4 of 6

- ⑦ We looked PWS proposals and acted on proposal 119. (See attached vote.)
- ⑧ Bob Schavelson from Cook Inlet Keeper gave a ~~talk~~ presentation on coal mining operation at Beluga. afterward, Mike Schuster moved, John McCombs seconded that we pass a resolution opposing the coal mine until there are absolute assurances that it is environmentally safe. This to be sent to the BoF and the Borough assembly. Passed unanimously.
- ⑨ Jeff Salinger made a presentation about Bears. afterward Doug Blossom moved and Mike Schuster seconded that we request the commissioner to lift Kenai Peninsula Brown Bears from its listing as a population of special concern under the species of special concern. Passed unanimously.
- ⑩ Doug Blossom moved; Robert Miller seconded that we put in a proposal to Bo B that we have a drawing permit for Brown Bears in units 7+15 that allows for not more than 20 reproductive females to be taken. Immature females not to be counted as part of the 20. Passed unanimously.



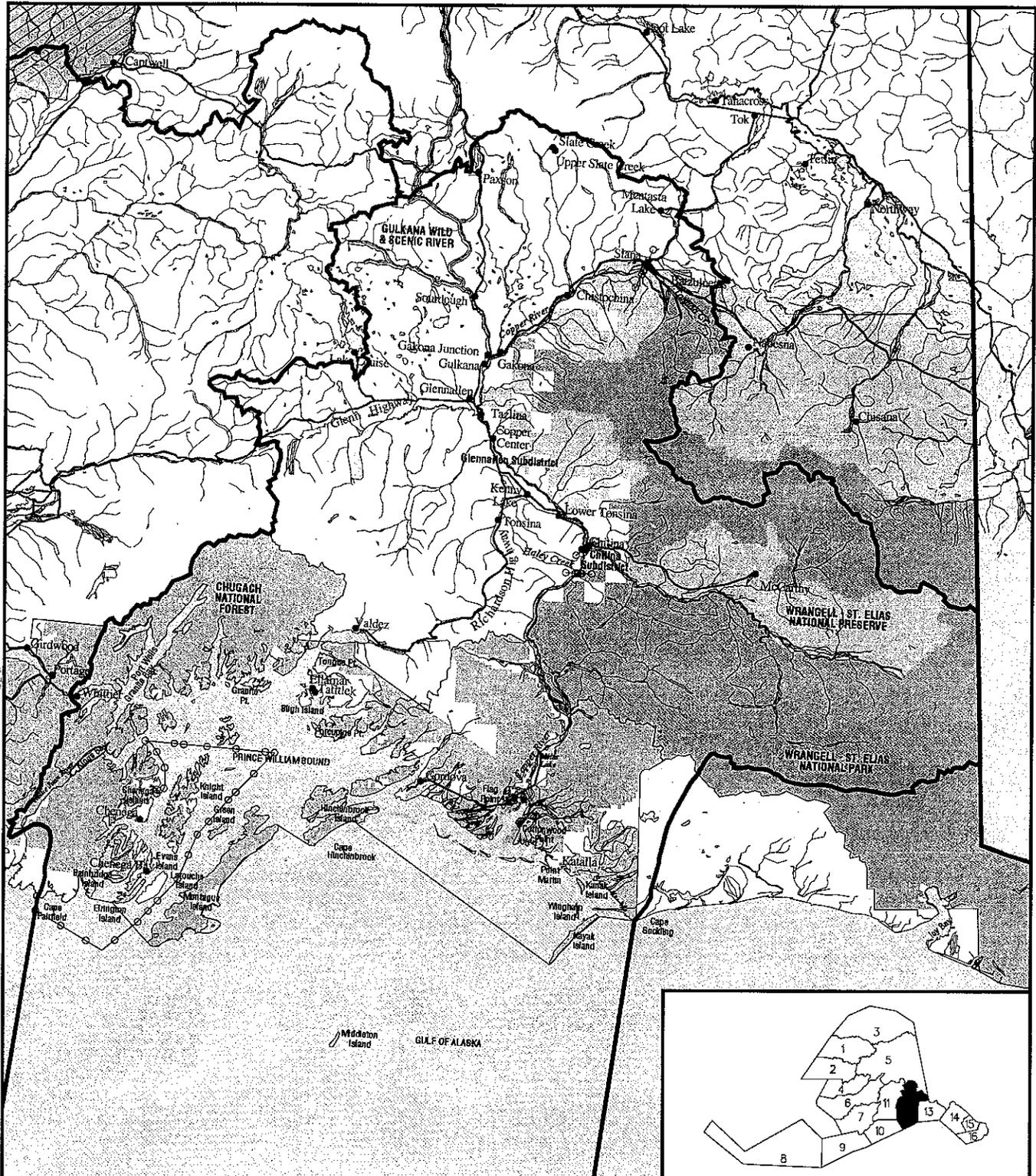
FROM : DAVID R MARTIN

PHONE NO. : 907 567 3306

NOV. 26 2008 02:05PM P5

Page 5 of 6

- (11) Doug moved; John McCamba seconded that we put a "proposal in to change the Brown Bear season to Aug. 20 to Sept. 20 same as the moose season and it is a drawing permit hunt. Passed unanimously.
- (12) Doug Blossom move; Steve Vaneh seconded that all antlers of moose in units 7 & 15 are required to be bleached within 15 days of the kill. Passed unanimously.
- (13) Steve Vaneh moved; John McCamp seconded that we put in a proposal to have units 15A & 15C be put under intensive management for predator control.



**Map 12**  
**Prince William**  
**Sound Area**

- FWS Administered Land
- NPS Administered Parks
- NPS Administered Preserves
- BLM Administered Land
- BLM Non-navigable Waters Only
- USFS Administered Land
- Closed to Subsistence
- Roads
- Area Boundary
- Federal Boundary
- Fishing Districts

Prince William Sound Area

**DECEMBER BOF  
PRINCE WILLIAM SOUND**

**Seward Fish & Game Advisory Committee Minutes of October 23, 2008**

**PROPOSAL 29- EXPAND THE SEASON FOR SABLEFISH IN PWS TO FOUR MONTHS**

Unanimous consent- Written by a local, Jim Herbert who was at our meeting to defend and explain his proposal. The discussion revolved around the fact that in the early part of the season, the orca, having no salmon to eat is targeting this black cod fishery. The theory is that this is now learned behavior. The orca are eating an unknown number of sablefish. There is also the potential for negative interaction between orca and fishermen. By running the season out in the fall, fishermen who are targeting salmon would still have the opportunity to fish black cod. The average permit holder has 3000# of quota.

**PROPOSAL 44-ESTABLISH A POT SHRIMP FISHERY IN PWS**

Passed by unanimous consent.

**PROPOSAL 83-INCREASE ALLOWABLE PURSE SEINE LENGTH TO 225 FATHOMS**

Passed unanimous consent. Fish will swim through the lead and get darker and darker. These fish then get harder to catch and it makes it more difficult to clean up the fish at hatchery openings

**PROPOSAL 84-MODIFY GEAR REGULATIONS FOR PURSE SEINES- LEADS MAY NOT EXCEED 75 FATHOMS IN LENGTH OR 325 MESHES DEEP**

Passed unanimous consent. Basically the same proposal as # 83. Passed for the same reasons

**PROPOSAL 87-CHANGE THE SPORT FISH REGULATORY BOUNDARY BETWEEN LOWER COOK INLET AND PWS FROM CAPE PUGET TO CAPE FAIRFIELD.**

The Seward AC combined Prop 87 & 88 and passed both by unanimous consent. The Cape Fairfield line will bring the commercial, personal use, subsistence and sport fisheries in LCI to the same boundary. We supported the Department's recommendation for the bag and possession limits in the freshwater drainages of Johnstone Bay.

**PROPOSAL 92-AMMEND REGULATIONS TO LOWER ROCKFISH BAG LIMITS.**

We agreed with the department on this proposal and passed it with unanimous consent. This mirrors a proposal submitted and passed during the last LCI meeting cycle for a reduction of the rockfish bag limit in LCI

RL28

**BOF Testimony  
Angela Vermillion  
December 2008**

My name is Angela Vermillion. I am a resident of Gulkana Village. I was born and raised in Gulkana. I have been dependant on salmon for over 37 years. My grandmother taught us to cut fish from a young age in elementary school. My family has been very dependant on salmon to meet our subsistence needs. Since the Ahtna Athabascans depend on salmon as a way of our life style, I am commenting on some of the proposals to support our Customary and Traditional use of salmon.

I am writing to state my opposition to Proposal 1. Since there is no new information relevant to the 8 criteria for a Customary & Traditional Use determination I urge the Board of Fisheries to oppose this proposal. The current C&T findings are consistent with our own knowledge of Customary and Traditional Uses for the Chitina subdistrict and Upper Copper River Use. I also feel that the current C&T use findings support a subsistence regulatory system that provides a reasonable opportunity to meet our subsistence needs.

I am in support of Proposal 2. I would like the Board of Fisheries to make a positive C&T Determination for freshwater fish in the Upper Copper/Susitina areas as well as other freshwater lake areas that are in the Copper Basin.

I also support Proposal 3. I would like the Board of Fisheries to open Crosswind Lake to subsistence fishing, so that we can harvest fish in this lake, which was customarily and traditionally used by the Ahtna People. It is illegal to have a sport fishery without allowing for a subsistence fishery.

I oppose Proposal 13 to increase the distance between fish wheels to 300 ft. The passage of this proposal will have a negative impact to provide reasonable opportunity to meet our subsistence needs. In Gulkana Village we have limited space for fish wheel placement. Other villages have also suffered from riverbank erosion. If the 300 feet distance is put in place, it would severely limit the amount of fishwheels that the Ahtna people can use.

I oppose Proposal 22 to "increase annual limit of personal use of sockeye salmon in the Chitina Subdistrict", because this will increase the harvestable catch of salmon and it will leave less salmon to swim upriver to spawn. Since our villages live upriver, it is vital that salmon reach the rivers near our villages to meet our subsistence needs.

I oppose Proposal 25 to increase Personal Use king salmon to 4 kings per permit, and allowing them to fish under a Sport's fisheries license to harvest 4 more kings in the Klutina and Gulkana Rivers. This will reduce the number of Chinook for the subsistence users in the Glennallen subdistrict which is already allocated in state priorities.

I support Proposal 26 to “require reporting by transporters, so that they will have to record and keep record of the people transported, fish species amount retained and area caught”. This will provide an additional tool for the Department to use to track the harvest.

I oppose Proposal 27 to “extend personal use to fish in “all waters of the Chitina River downstream of the confluence of the Kuskulana River”, so that the dipnetters will have more places to fish. This will increase potential trespass on private lands along the Chitina River. The local Native Corporations own private lands along the Chitina River and this will increase trespass issues. Within these areas are important historical sites that we do not want open to the public for fishing. Not enough stocks go up the Chitina River to warrant an expansion of an existing fishery. This could damage to the spawning areas. This will also reduce amount of return.

I oppose Proposal 107 to “extend king salmon season to August 10 with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length, in all flowing water of the Copper River downstream of the ADF&G regulatory markers located at the confluence of the Klutina River”. King salmon population is on the decline. This could be detrimental to the returns because the fish are already in the spawning stage. The King salmon is already fully allocated. There would be potential trespass on private property.

Because of the above comments I also oppose Proposal 108 to extend season to August 10 from mile 13 of the Klutina Lake Road. King salmon is on the decline and I also oppose Proposal 109 to extend king salmon season on the Tonsina River to August 10.

I support Proposal 111 to keep hooked salmon that is taken out of the water.

I support Proposal 112 to “include any salmon landed or released against daily bag limit”. The mortality rate of any salmon will be reduced if this is in regulation.

I support Proposals 113 to “close Klutina and Gulkana Rivers to power boat use 2 days/week”. Power boats are not good for spawning salmon.

I support Proposal 116 because the current regulation does not match up with management plan.

Thank you for allowing me to comment on the above proposals.

Submitted by  
Jim Joyce  
for  
USFS

**Proposals 100, 101 & 102** request that sport fishing closures be instituted in stream sections along the Copper River Highway to protect salmon spawning habitat.

**Current State regulations:**

**5 AAC 55.023 (8)(A,B,C,&D). Waters; seasons; bag, possession, and size limits and special provisions.**

RC29

*The following waters of the Prince William Sound Area are closed to sport fishing for salmon: (A) Clear Creek upstream of the Carbon Mountain Road Bridge located at Mile 42 of the Copper River Highway; (B) Eccles Creek; (C) Eyak Lake and its tributaries; (D) Hartney Creek upstream from Whitshed Road;*

**Current Federal regulations:**

***Prince William Sound Area – Freshwater Fish***

§\_\_\_27(i)(11)

- (i) You may take fish, other than rainbow/steelhead trout, in the Prince William Sound Area only under authority of a subsistence fishing permit, except that a permit is not required to take eulachon.*
- (ii) You may take fish by gear listed in paragraph (c)(1) of this part unless restricted in this section or under the terms of a subsistence fishing permit.*
- (iii) If you catch rainbow/steelhead trout incidentally in other subsistence net fisheries, you may retain them for subsistence purposes, unless restricted in this section.*

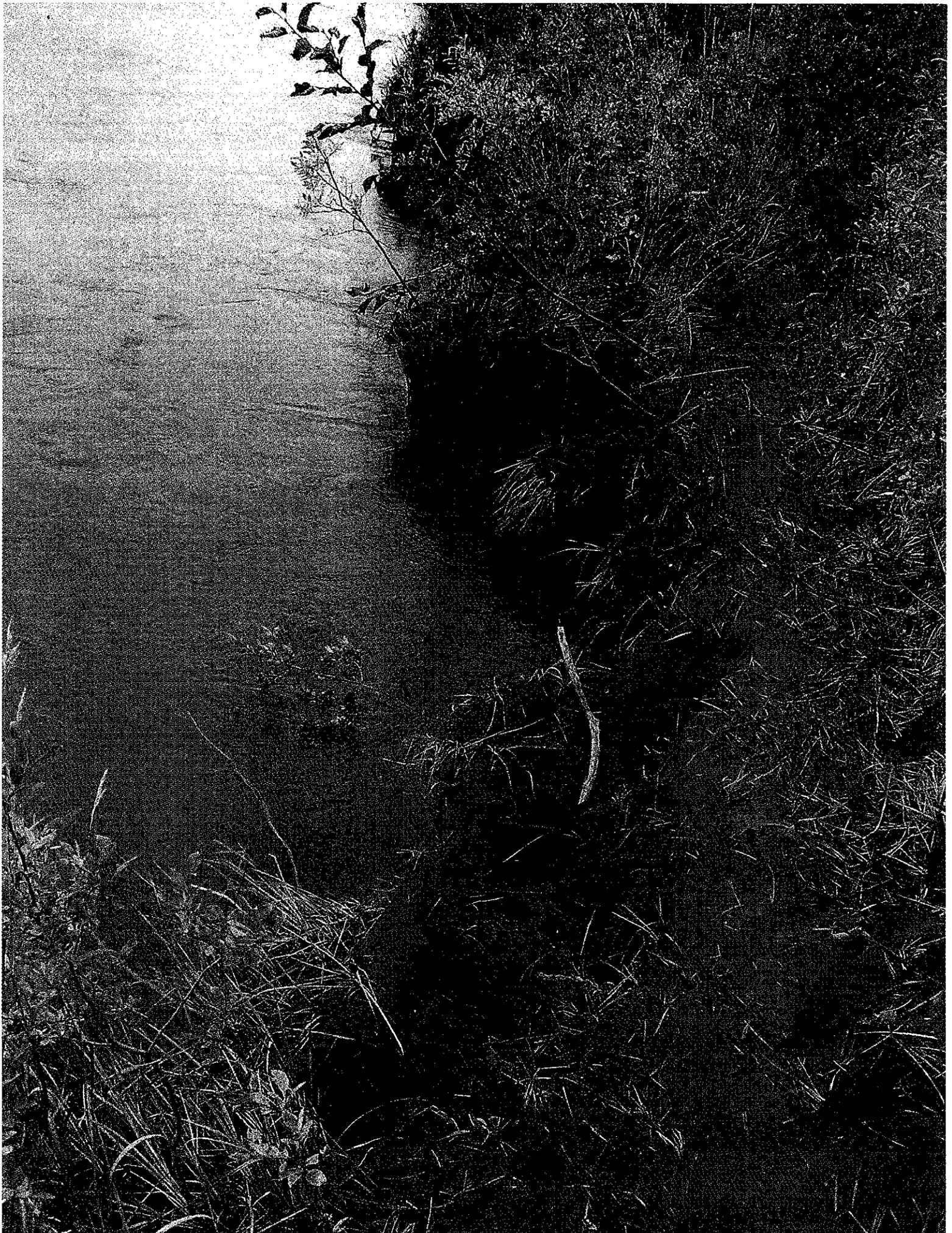
**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No.

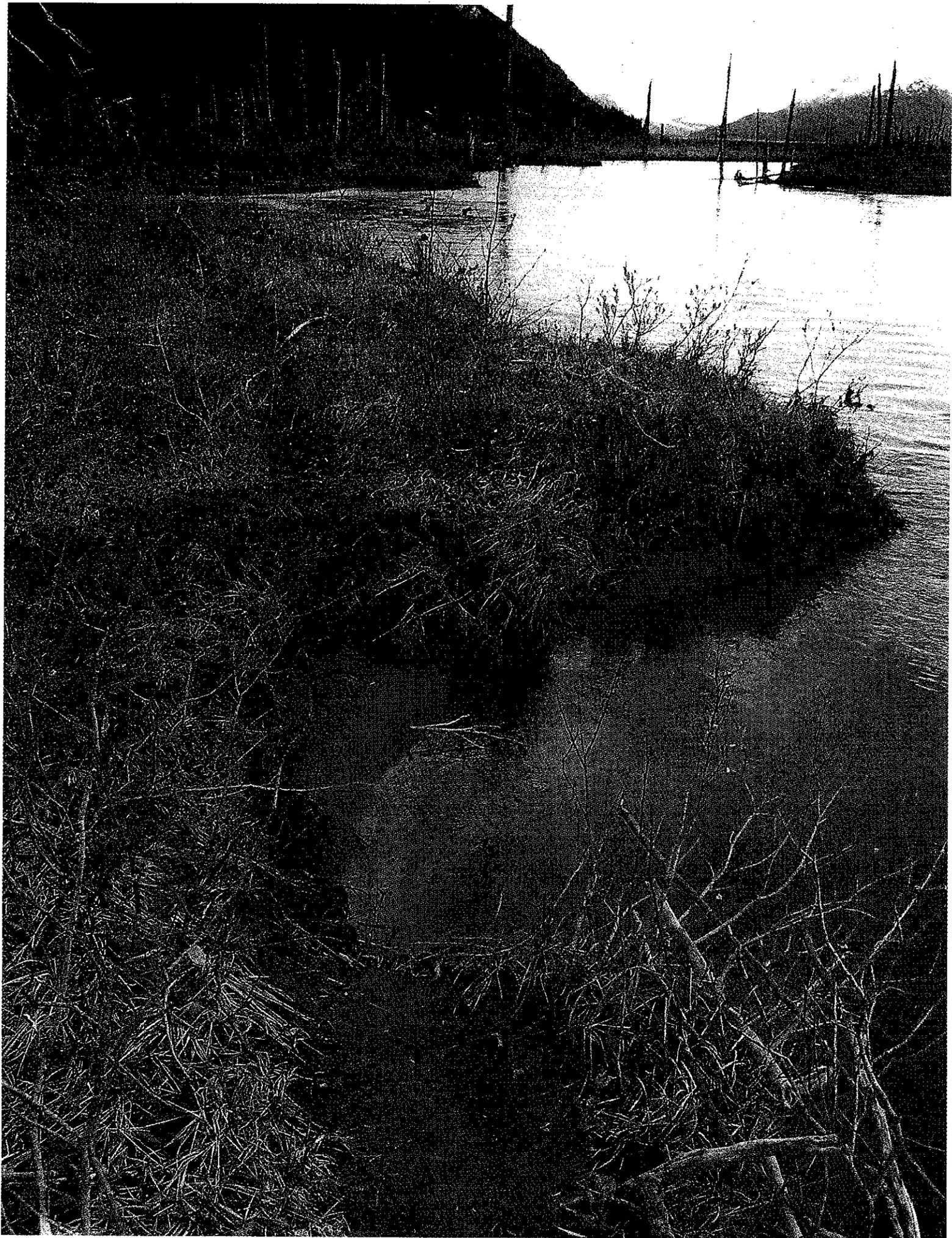
This proposal affects the harvest of salmon in fresh waters of Prince William Sound. The federal subsistence harvest of salmon is regulated by permit stipulations. Current stipulations do not restrict the harvest of salmon in freshwater except in the Copper River and its tributaries and Eyak Lake and its tributaries.

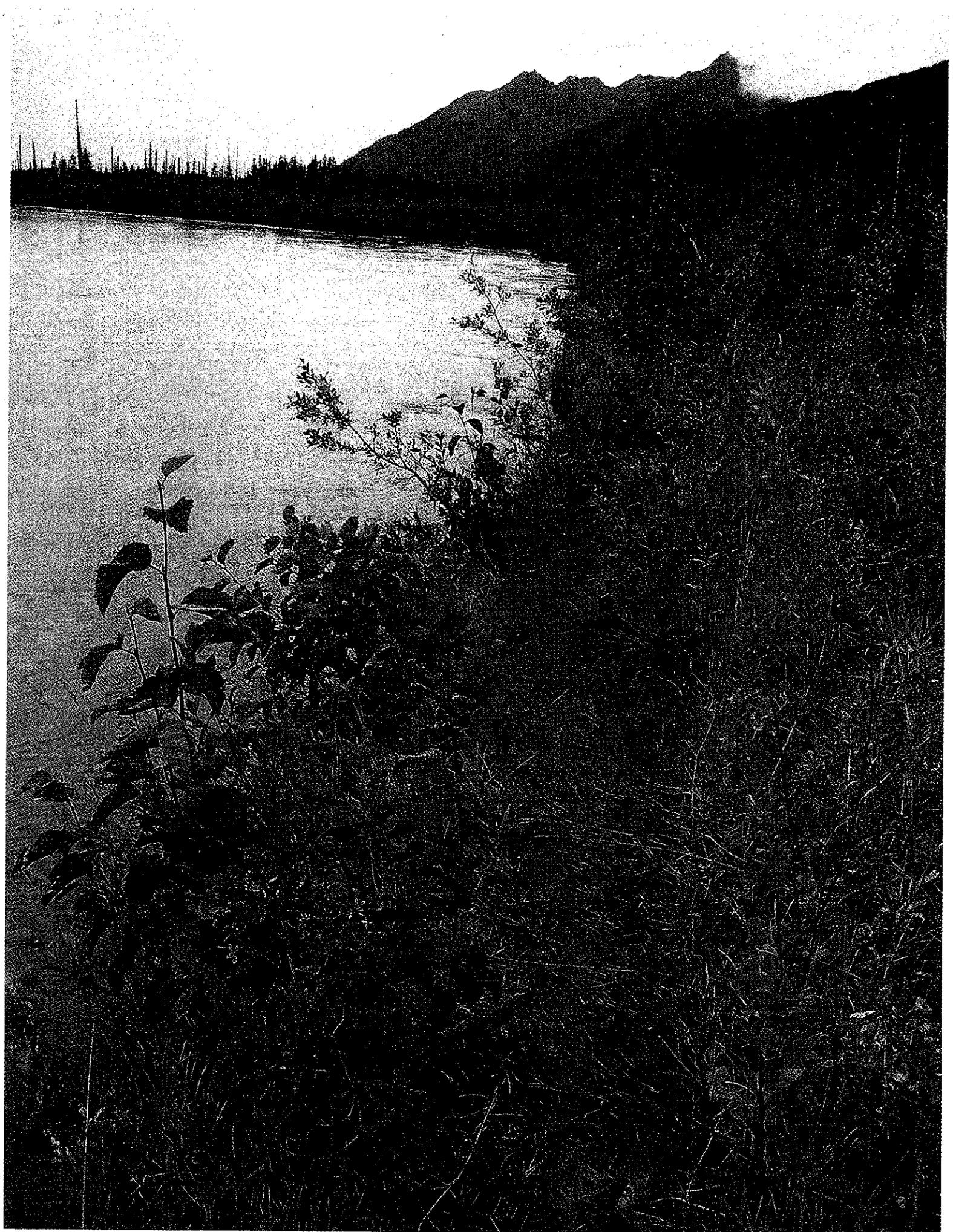
**Impact to Federal subsistence users/fisheries:** If adopted this proposal would likely have very little, if any, direct impact to federally qualified subsistence users. However, there could be a potential for confusion of the public if this proposal is passed as federal users would still be able to fish in these areas.

**USFS Position/Recommended Action:** Neutral. The regulatory change would close some sections of rivers to sport fishing. A sport fish use study completed by the USFS in 2006 (in process) indicates that sport fishing use is increasing in the area. Most of the

sport fishing occurs in migration corridors. Some use is occurring in the spawning areas. The USFS recently completed a habitat restoration project on Ibeck Creek above the Copper River Highway to restore riparian damage caused by sport angler foot traffic. The USFS, partnering with other agencies, plans to establish a public committee to initially examine the safety and sanitation issues that are developing in the areas of high use and make recommendations to alleviate some of those problems. The high use occurs during the coho salmon return in late August through September. Other times of the year little to no use has been observed along these streams.









PROPOSALS FOR 2008-2009 BOF CYCLE							
Prop. #	Action requested	Proposed by	Meeting	Support / Oppos	Amendments (if at AC)	Comments	AC VOTE
1	Reclassify Chitina Subdistrict as a subsistence fishery	Fairbanks AC	PWS	Support			9-0-0
2	C&T determination for freshwater fish in Upper Copper/Susitna	Ahtna Tene Nene' C&T Committee.	PWS	Oppose			0-9-0
3	Open Crosswind Lake to subsistence fishing	Ahtna Tene Nene' C&T Committee.	PWS	Oppose			0-9-0
4	Restrict subsistence king salmon fishery in Copper River District	Mike Kramer	PWS	Oppose			0-9-0
6	Modify marking of subsistence-taken fish in Copper River District	Alaska Department of Fish and Game	PWS	Support			
7	Clarify legal subsistence gear for Prince William Sound	Alaska Department of Fish and Game	PWS	Support			
13	Increase distance between fish wheels from 75 to 300 feet	Mike Babic	PWS	Oppose			
14	Prohibit dipnetting within 30 feet of a fish wheel	David A. Kacal	PWS	Oppose			
19	Require daily harvest reporting in Glennallen Subdistrict fishery	Bill Webber Jr.	PWS	Oppose			
20	Require harvest reports within 48 hours in Glenallen Subdistrict	Tyee Lohse	PWS	Oppose			
21	Allow retention of rockfish and lingcod taken in subsistence fisheries	Alaska Department of Fish and Game	PWS	Support			9-0-0
22	Increase annual limit of personal use sockeye salmon	Fairbanks AC, Chitina Dipnetters	PWS	Support			9-0-0
23	Change time period for setting supplemental periods	Fairbanks AC, Chitina Dipnetters	PWS	Support			9-0-0
24	Restrict supplemental permits if commercial fishery closes	Mike Babic	PWS	Oppose			0-9-0
25	Increase PU king salmon limit and modify recording requirement	Fairbanks AC	PWS	Support			9-0-0
26	Require reporting by transporters in personal use fishery	Shawn Gilman	PWS	Support			9-0-0
27	Extend Chitina Subdistrict personal use fishery boundary	Anchorage AC, Matanuska Valley AC, Fairbanks AC, and Southcentral Alaska Dipnetters Association.	PWS	Support			9-0-0
28	Clarify fishing season and periods for herring bait fishery in PWS	Alaska Department of Fish and Game	PWS	Support			9-0-0
29	Expand Prince William Sound sablefish season area to four months	Jim Herbert	PWS				
30	Modify Prince William Sound sablefish season dates	Richard Casciano	PWS				
31	Remove commissioner's permit requirement (sablefish) from regulation	Alaska Department of Fish and Game	PWS	Support			
32	Retention of lingcod in Prince William Sound groundfish fisheries	Robert A. Smith	PWS				
33	Retention of lingcod in drift gillnet salmon fishery	Cordova District Fishermen United, Groundfish Division	PWS				
34	Manage by emergency order in the Pacific cod fishery	Robert A. Smith	PWS				
35	Modify opening of Pacific cod fishery	Robert A. Smith	PWS				
36	Allow retention of Pacific cod in halibut fishery	Robert A. Smith	PWS				

Anchorage Game AC  
 Proposal Comments for  
 BOF - PWS 2008 meeting

RC 30

Prop. #	Action requested	Proposed by	Meeting	Support / Oppos	Amendments (if any)	AC Comments	AC VOTE
37	Allow retention of Pacific cod in halibut and blackcod fisheries	Cordova District Fishermen United, Groundfish Division	PWS				
38	Expand outside district to harvest of Pacific cod	Curt Herschleb	PWS				
<b>PROPOSALS FOR 2008-2009 BOF CYCLE</b>							
Prop. #	Action requested	Proposed by	Meeting	Support / Oppos	Amendments (if any)	AC Comments	AC VOTE
40	Remove commissioner's permit requirement (Pollock) from regulation	Alaska Department of Fish and Game	PWS				
41	Establish Area E commercial skate fishery	Bob Heinrichs	PWS				
42	Allow retention of spiny dogfish in longline fishery	Robert A. Smith	PWS				
43	Delete portions of groundfish guiding principles	James O. Smith	PWS				
44	Establish a commercial shrimp pot fishery management plan	Alaska Department of Fish and Game	PWS	Oppose	Limit areas for shrimp fisheries.	thousands of Anchorage residents participate in the fishery, there needs to be a high threshold for a commercial shrimp fishery	3-6-000
45	Open commercial pot shrimp fishery	Whittier AC	PWS	Oppose			0-9-0
46	Open commercial spot shrimp fishery in Prince William Sound	Gordon Scott	PWS	Oppose			0-9-0
47	Remove permit requirement (shrimp trawl) from regulation	Alaska Department of Fish and Game	PWS	Oppose			0-9-0
48	Set spot shrimp guideline harvest level at or near mid 1980s level	Gordon Scott	PWS	Oppose			0-9-0
49	Exclusive registration for sport or commercial spot shrimp fishery	Gordon Scott	PWS	Oppose			0-9-0
50	Modify Central and Northwest section boundary in shrimp fishery	Whittier AC	PWS	Oppose			0-9-0
51	Allow sport and commercial seasons for shrimp to run concurrently	Gordon Scott	PWS	Oppose			0-9-0
52	Limit sport spot shrimp area during commercial openers	Gordon Scott	PWS	Oppose			0-9-0
53	Open non-commercial spot shrimp fisheries open through Dec 31	Leroy Cabana	PWS	Oppose			0-9-0
54	Reduce sport spot shrimp fishery to May 15- Sept 1	Whittier AC	PWS	Oppose			0-9-0
55	Reduce sport shrimp season for commercial fishery	Gordon Scott	PWS	Oppose			0-9-0
87	Change boundary between Cook Inlet-Resurrection Bay and PWS	Alaska Department of Fish and Game	PWS	Support			9-0-0
88	Add regulation for Johnstone Bay freshwater sport fishery	Alaska Department of Fish and Game	PWS	Support			9-0-0
89	Clarify definition of "spear" in saltwater	Howard Teas	PWS	Support			9-0-0
90	Allow gaffing lingcod in the mouth	Christopher Williams	PWS	Oppose			0-9-0
91	Reduce bag and possession limit for salmon shark	Greg Hamm	PWS	Oppose			0-9-0
92	Lower sport fish rockfish bag limits	Alaska Department of Fish and Game	PWS	Support			9-0-0
93	Lower rockfish bag limit in the subsistence halibut fishery	Alaska Department of Fish and Game	PWS	Oppose			0-9-0
94	Limit number of lines fished on charter vessels	Cordova District Fishermen United, Groundfish Division	PWS	Oppose			0-9-0

Prop. #	Action requested	Proposed by	Meeting	Support / Oppose	Amendments (if any)	AC Comments	AC VOTE
95	Redefine sport fishing gear for finfish in PWS	Cordova District Fishermen United, Groundfish Division	PWS	Oppose			0-9-0
<b>PROPOSALS FOR 2008-2009 BOF CYCLE</b>							
97	Allow use of sport caught pink and chum salmon for bait in PWS	James Norris	Meeting PWS	Support			9-0-0
98	Modify Whittier terminal harvest area to reduce wild salmon harvests	Prince William Sound Charter Boat Association, and Whittier Fish and Game AC	PWS	Support			9-0-0
99	Reduce area open to coho salmon fishing in Passage Canal	David Goldstein	PWS	Support			9-0-0
100	Close a portion of Ibec Creek to sport fishing	Copper River/PWS Fish and Game Advisory Committee	PWS	Oppose			0-9-0
101	Close a portion of 18-Mile Creek to sport fishing for coho salmon	Copper River/PWS Fish and Game Advisory Committee	PWS	Oppose			0-9-0
102	Close waters along Copper River Hwy to fishing for coho salmon	Stan Makarka	PWS	Oppose			
103	Close all salmon spawning areas to sport fishing	Mike Babic	PWS	Oppose			0-9-0
104	Close king salmon fishing on Lakina R., Slana R., and Sinona Creek	Alaska Department of Fish and Game	PWS	Support			9-0-0
105	Expand existing areas closed to king salmon fishing in Copper R.	Alaska Department of Fish and Game	PWS	Oppose			0-9-0
106	Close Ahtell Creek to king salmon fishing	Shawn Gilman	PWS	Oppose			0-9-0
107	Extend king salmon season on the Copper River to August 10	Anchorage AC and Matanuska Valley AC	PWS	Support			9-0-0
108	Extend king salmon season on the Klutina River to August 10	Anchorage AC, Matanuska Valley AC, and Fairbanks AC	PWS	Support			9-0-0
109	Extend king salmon season on the Tonsina River to August 10	Anchorage AC, Matanuska Valley AC, and Fairbanks AC	PWS	Support			9-0-0
110	Allow retention of unintentionally hooked sockeye salmon	Mike Lanegan, Ken Hughes, Alan LeMaster	PWS	Oppose			0-9-0
111	Prohibit removal from water any salmon not retained	Klutina River Association	PWS	Support			9-0-0
112	Include any salmon landed or released against daily bag limit	Native Village of Eyak	PWS	Oppose			0-9-0
113	Close Klutina and Gulkana rivers to power boat use 2 days/week	Native Village of Eyak	PWS	Oppose			0-9-0
114	Restrict hatchery and stocking programs	Bill Larry, and Ralph Seekins	PWS	Oppose			0-9-0
115	Update stocked waters list for the Upper Copper/Upper Susitna area	Alaska Department of Fish and Game	PWS	Support			9-0-0

Prop. #	Action requested	Proposed by	Meeting	Support / Oppos	Amendments (if at AC Comments)	AC VOTE
116	Remove rainbow trout/steelhead regulations for Tolsona Lake	Alaska Department of Fish and Game	PWS	Support		9-0-0
117	Repeal the Lake Burbot Management Plan	Alaska Department of Fish and Game	PWS	Support		9-0-0
118	Restrict commercial activity by participants of subsistence fisheries	Steve Johnson	PWS	Support	one week instead of one month	9-0-0
<b>PROPOSALS FOR 2008-2009 BOF CYCLE</b>						
120	Repeal reporting requirement for king salmon homepack	Alaska Department of Fish and Game	Meeting PWS	Oppose		0-9-0
121	Prohibit use of dipnets and gaffs in commercial fishery	Chitina Dipnetters	PWS	Support	<i>5/6 oppose</i>	9-0-0
122	Specify buoy marking requirement for commercial drift gillnet gear	Alaska Department of Fish and Game	PWS			
123	Update and clarify coordinates defining Inside Closure	Alaska Department of Fish and Game	PWS			
124	Open east side of Kayak Island to drift gillnetting	Warren Chappel	PWS			
125	Expand fishing area in Bering River District	Mike Babic	PWS	Oppose		
126	Modify inriver escapement goals for Copper River	Mike Kramer	PWS	Oppose		0-9-0
127	Repeal reference to inriver goal	Alaska Department of Fish and Game	PWS	Support		9-0-0
128	Delay commercial fishing until 5,000 fish pass Miles Lake sonar	Fairbanks AC	PWS	Support	fisheries may be depleted in the	9-0-0
129	Increase sustainable escapement goal for Copper River king salmon	Mike Kramer	PWS	Support		9-0-0
130	Allow one fishing period in statistical weeks 20 and 21	Mike Babic	PWS	Oppose		0-9-0
131	Restrict fishing within inside closure area of Copper River	Fairbanks AC	PWS	Support		9-0-0
132	Eliminate restrictions within inside closure area of Copper River	Copper River/PWS Fish and Game Advisory Committee	PWS	Oppose		0-9-0

RC 31

# DELIBERATION MATERIALS

Alaska Board of Fisheries  
December 2008  
Cordova, Alaska



Alaska Department of Fish & Game  
Commercial Fisheries Division

**1** PWS Maps

- 2** Proposals 68-81
- BOF finding 06-248-FB
  - BOF Committee Meeting Summary Dec, 8 2003

- 3** Proposal 69
- BOF finding 97-167-FB

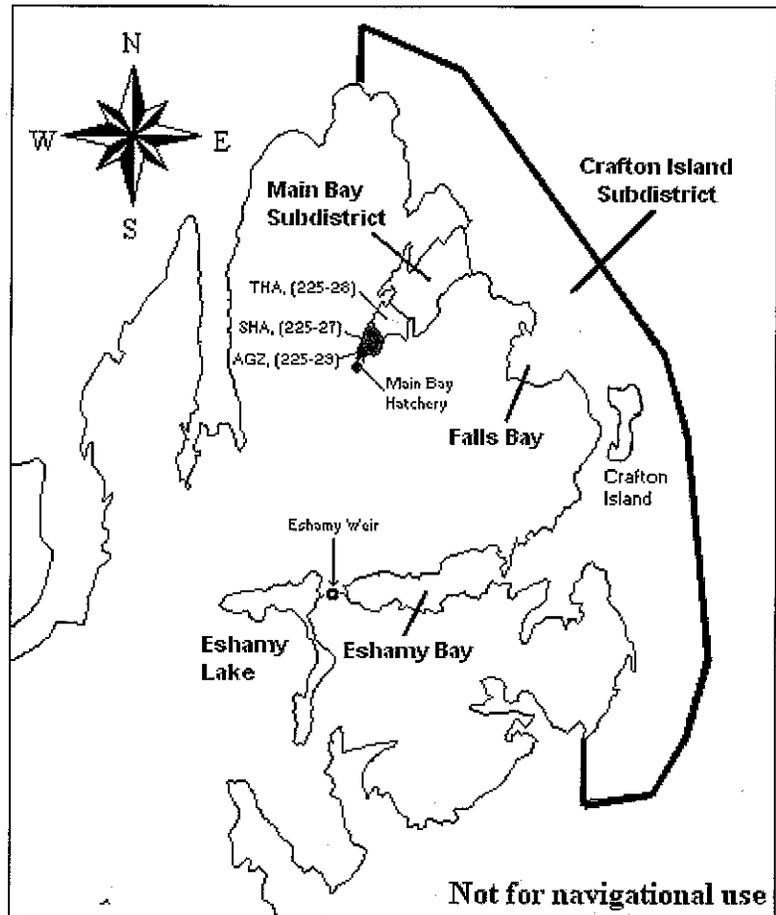
- 4** Proposal 70
- Allocation New Release

- 5** Proposal 81
- Joint Protocol on Salmon Enhancement
  - Attorney General Opinion (Nov. 6 1997; 661-98-0127)

- 6** Proposal 123
- CR Inside Closure Marker Position Adjustment

- 7** Proposal 124-125
- Sockeye Tag Recovery Percents from Kayak Is.
  - Salmon Tagging Program, 1985

- 8** Board Actions
- Dec. 1996 CR Management Plan
  - Jan. 2003 Summary of actions at Cordova BOF Meeting
  - Dec. 2005 Summary of actions at Valdez BOF Meeting
  - May 2006 Findings on CR King Salmon Management Plan



Eshamy District- Has two subdistricts: Main Bay and Crafton Island subdistricts (24.200(h)).

**General set gillnet gear restrictions in Eshamy general district (5AAC 24.331(b)(1))**

- Minimum distance between deployed set gillnets is 100 fathoms (5AAC24.335)
- Minimum distance between drift and set gillnet is 60 fathoms\* (5AAC24.335)
- set gillnet length limited to 100 fathom length per one
- set gillnet permit holders may operate up to 3 set gillnets (aggregate length less than 150 fathoms)
- shoreward end of a set gillnet may not be operated in water deeper than 4 fathoms at low tide.
- a set gillnet may not be deployed in a hook configuration

**General set gillnet gear restrictions in Main Bay subdistrict (5AAC24.367(b))**

- Minimum distance between deployed set gillnets is 100 fathoms (5AAC24.335)
- Minimum distance between drift and set gillnet is 25 fathoms\* (5AAC24.335)
- shoreward end of a set gillnet may not be operated in water deeper than 2 fathoms at low tide.
- a set gillnet may use 25 fathoms in hook configuration
- operated only from mainland shore

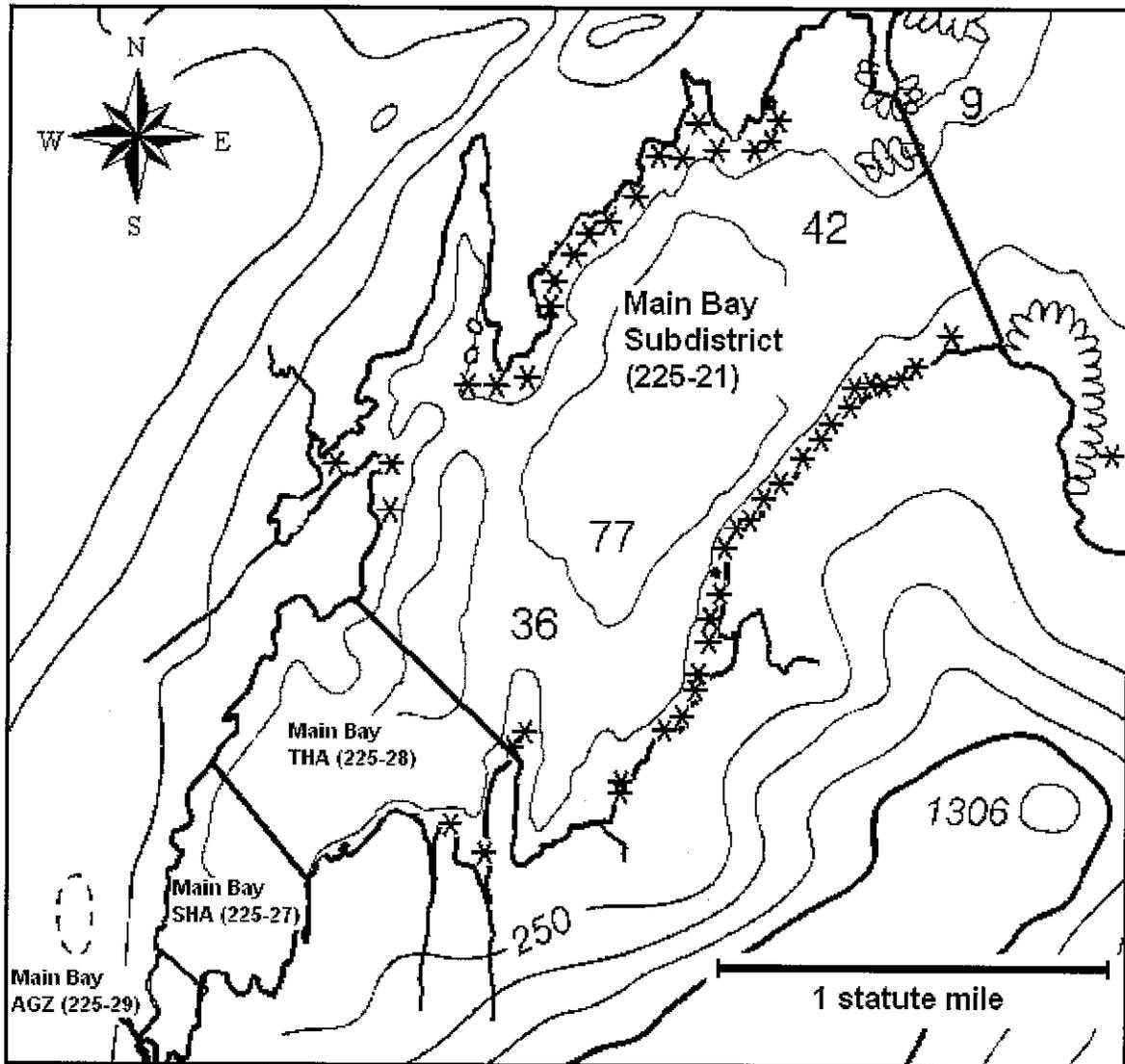
**General set gillnet gear restrictions in Main Bay THA, SHA and AGZ (5AAC24.367(c))**

- Minimum distance between deployed set gillnets is 50 fathoms
- Minimum distance between drift and set gillnet is 25 fathoms\*
- set gillnet length limited to 50 fathom length per one

**General set gillnet gear restrictions in Main Bay AGZ (5AAC24.367(d))**

- Only 1 gear type (set gillnet or drift gillnet) may be operated in a period in the AGZ
- No minimum distance between deployed set gillnets
- All set gillnet gear (anchors, buoys, etc) must be removed from the AGZ at the end of the fishing period

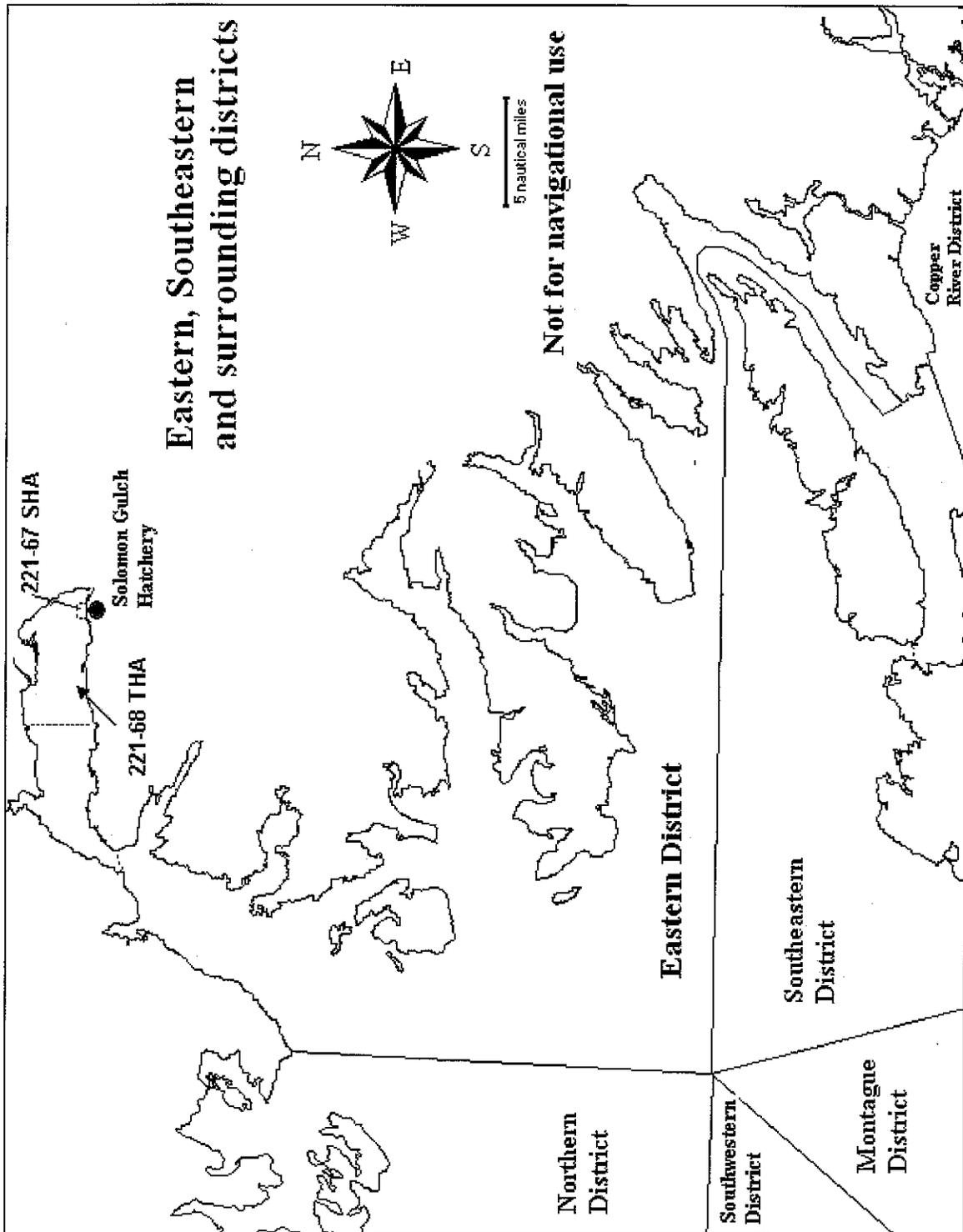
\*except in zone outside of the offshore end of the set gillnet.



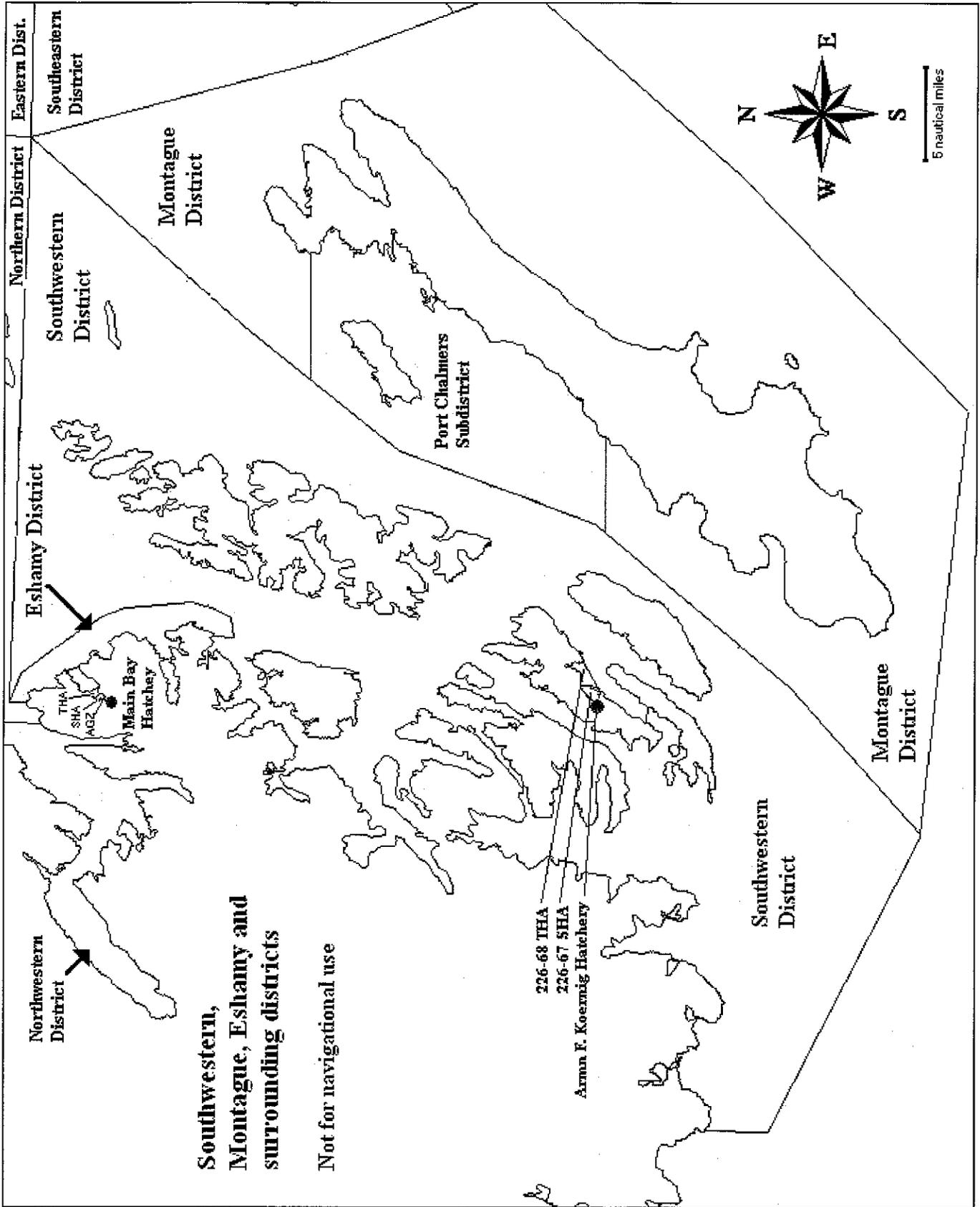
Main Bay Subdistrict detail.

**Map 2- Main Bay Subdistrict, Eshamy District, Prince William Sound**





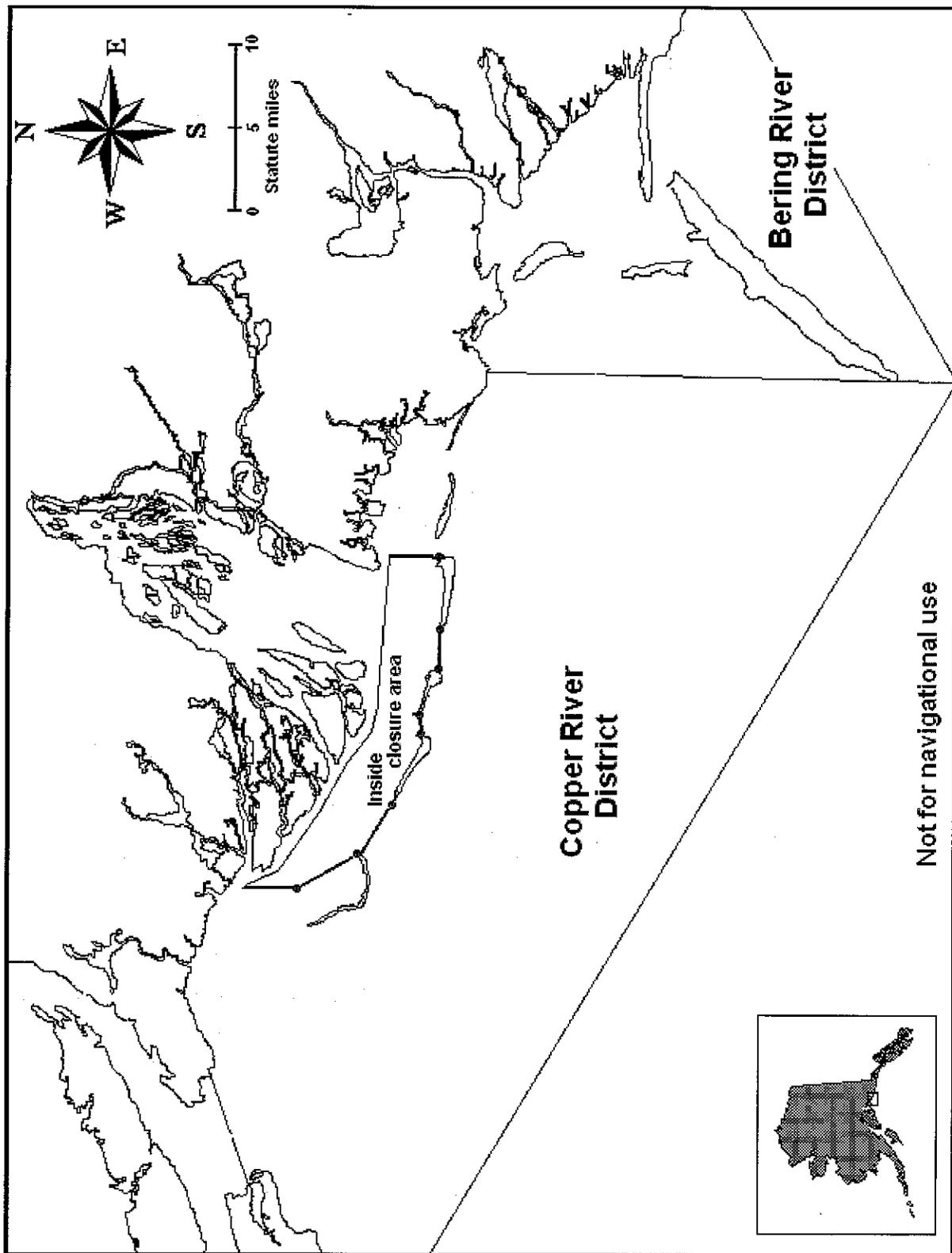
**Map 4- Eastern, Southeastern and surrounding districts, PWS**



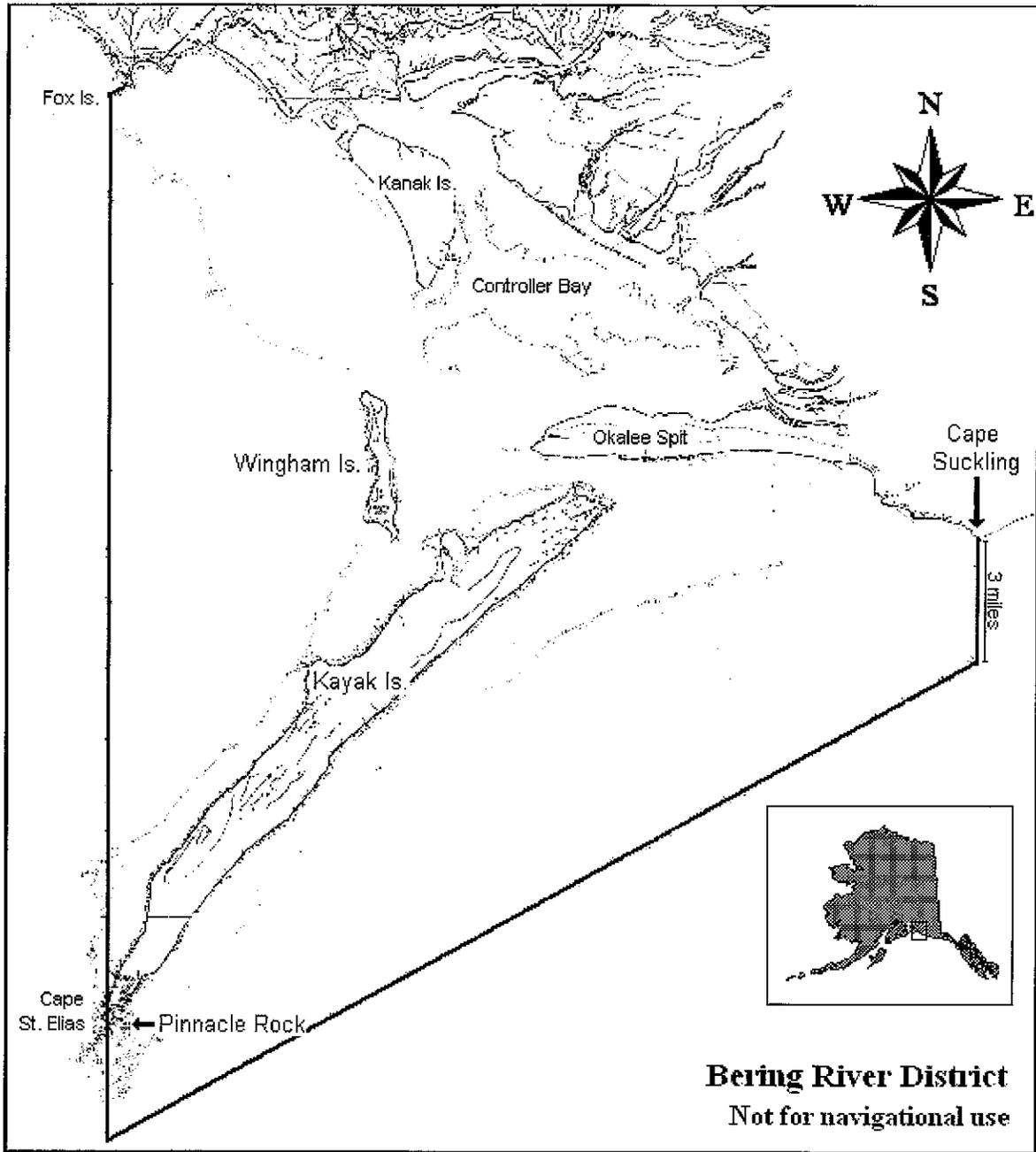
**Southwestern,  
Montague, Eshamy and  
surrounding districts**

Not for navigational use

**Map 5- Southwestern, Montague, Eshamy and surrounding districts, PWS**



Map 6- Copper River and Bering River districts, Prince William Sound



Map 7- Bering River District, Prince William Sound



ALASKA BOARD OF FISHERIES  
FINDINGS ON PRINCE WILLIAM SOUND MANAGEMENT  
AND SALMON ENHANCEMENT ALLOCATION PLAN  
# 2006-248-FB

May 3, 2006

At its December 1 through 6, 2005 meeting, by a 7/0 vote the Alaska Board of Fisheries adopted a new Prince William Sound Management and Salmon Enhancement Allocation Plan. This plan replaces the plan previously adopted and supported by Finding 97-167-FB, and reflects the Board's realization that the attempts of previous Board's to develop a workable allocation plan, acceptable to all users, in the face of changing market conditions have been unsuccessful. The Board recognizes that it is unlikely that the three user groups involved in Prince William Sound salmon fisheries will ever reach complete consensus on an allocation plan but believes that the Board should attempt to impose a workable allocation plan to maintain the long-term historic balance even if not fully acceptable to any user group rather than leaving in place an allocation plan that has proved completely unworkable and which results in harvest patterns which bear little resemblance to the Board allocations.

The conceptual language of the adopted plan was adopted as substitute language for Proposal 27. The substitute language was recommended by a Board Committee, and is found on pages 29 -31 of RC # 40 (Committee B Report). The final regulatory language reflecting the Board's intent is found at 5 AAC 24.370 (am 3/30/2006, Register 177). As a result of its action on Proposal 27, the Board took no action on a number of other proposals relating to Prince William Sound management and allocation including proposals 18, 19, 20, 21, 22, 26, 27, 28, 29, and 30. Action on proposal 27 also served as a factor in the Board's rejection of other proposals including proposals 33, 34, and 35. These findings are intended to summarize the Board's actions on the Prince William Sound Management and Salmon Enhancement Allocation Plan so that the public and future boards will understand the reason for those actions.

Background

The previous Prince William Sound Management and Salmon Enhancement Allocation Plan was adopted in 1997 in an effort to end over seven years of dispute over allocations between the three user groups in Prince William Sound. The history of those disputes is more thoroughly presented in Finding 97-167-FB, which this finding supplements.

After 1997, the plan continued to fail to achieve its allocation objectives. Actual catches were not even coming close to allocations, and the disparities were getting worse. The seine fishery was consistently under its allocation and the drift and set net fishery were consistently exceeding their allocations. The set net fishery had grown far beyond its 1 percent allocation and was continuing to grow. PSWAC was continuing to produce more low value pink and chum salmon in an unsuccessful effort to try to balance out the increased value of Chinook and sockeye.

Modifications to the plan were made in 2003 in an attempt to improve plan performance. One significant change in 2003 including tightening the triggers for use of the Port Chalmers and Ester Subdistrict "piggy bank" areas, with a new trigger of 40 percent replacing the previous

25 percent trigger. Another significant change in 2003 was a change in the basis of calculation of ex-vessel values, with open-ended language regarding "grounds price times poundage" replaced by a requirement for ex-vessel value to be obtained from commercial operator annual reports (COAR).

Recognizing the continuing problems with the Prince William Sound Management and Allocation Plan, in October of 2003, the Alaska Board of Fisheries formed a Prince William Sound Management and Allocation Plan Workgroup to help the Board obtain a better understanding of past and present allocation and cost recovery issues and to explore options to find an equitable balance between user groups. The workgroup formally met at least 6 times between 2004 and the time of the Board's final action on proposal 27. The workgroup met in October and November prior the Board meeting and had another meeting on December 1 after the Board meeting had started. Although the workgroup composition changed somewhat over time, at all times it included two or more representatives each of seine and drift gillnet permit holders, and of Prince William Sound Aquaculture Corporation (SAC); it also included three Board members, at least one set net permit holder, and a Valdez Fisheries Development Association (VFDA) representative. At the time of the December Board meeting the workgroup was chaired by Board member Mel Morris, other Board members on the workgroup were Robert Heyano and Dr Fred Bouse. Workgroup meetings were publicly noticed and open to the public; many interested parties, including Board members, who were not on the working group attended the meetings.

In April of 2004, the Board met as committee of the whole with the workgroup. At this meeting the Board rejected a proposal to change the "piggy bank" triggers to 49 percent and made adjustments to a buffer zone around Esther Island. An effort by the Department to implement a buffer zone near a "piggy bank" area in order to increase the seine percentage in 2004 was unsuccessful because the buffer used did not prevent drift interception before salmon reached the "piggy bank" area.

The chair of the Board's workgroup circulated a draft strawman proposal in October of, 2005. The strawman proposal was discussed at the October, November, and December workgroup meetings. The primary points of the strawman proposal were further refined based on public comment and incorporated into the substitute language eventually adopted by the Board.

Although the workgroup never achieved full consensus as to all details for a new plan conceptual consensus on a number of issues was achieved, narrowing the focus of contested issues.

Workgroup participants did not agree on the fine details of a plan. There was disagreement over whether enhanced fish from VFDA should be included in the plan. There was disagreement over whether buffer zones should be used and if used over where buffer zone boundaries should be. There was disagreement over what the triggers for cost recovery adjustments and use of "piggy bank" areas should be.

The Board accepted staff reports on morning of December 1, 2005 and oral testimony, including testimony on proposal 27, from the afternoon of December 1 through the afternoon of December 2. Seventy three members of the public signed up for public testimony and were given the opportunity to present oral testimony. During public testimony many seine permit

holders indicated that wild stock should not be excluded from the allocation plan, and that if it was excluded, VFDA stocks should also be excluded to partially offset this loss to the seine permit holders. Following staff reports and public testimony, the Board followed its normal procedure, forming committees to work further with the public and develop recommendations on specific groups of proposals.

Committee B, consisting of Board members Heyano, Morris, and Andrews was tasked with making recommendations on Prince William Sound salmon issues including proposal 27. Many of the Board workgroup members served on the public panel in Committee B and four advisory committees also participated. Committee B met with its public panel on the evening of December 2. The Committee B public panel, like the working group, was unable to reach consensus on plan details, however the Board member committee was able to reach consensus for support of substitute language, found at RC 40 pages 29-31. None of the concepts in the substitute language were new, all had been discussed in workgroup meetings. The viewpoints of the various user groups on major issues were summarized in the Committee B report, and public panel participants were given a chance to submit RC's regarding any misstatements of their positions in the report.

The Proposal 27 substitute language made a number of minor modifications to the plan and made eight significant changes:

- 1) It modified the plan to apply only to enhanced stocks, excluding VFDA stocks.
- 2) It changed the allocation percentages from 50 percent drift gillnet, 49 percent seine and 1 percent set gillnet to 48 percent drift gillnet, 48 percent seine, and 4 percent set gillnet.
- 3) It changed the way allocation percentages were calculated, basing them on a five year rolling average ex-vessel value using COAR data rather than the previous year's value using COAR data.
- 4) It changed the way allocation percentages were calculated between the drift gillnet and seine fishery's by making them each 50 percent after removal of the set gillnet allocation or harvest.
- 5) It expanded the buffer zone to include the entire Granite Bay subdistrict.
- 6) It established a three percent trigger for adjustment of allocations through cost recovery changes, triggering such adjustments when either the drift gillnet or seine fisheries five year average exvessel value falls below 47 percent.
- 7) It established a five percent trigger for adjustment of allocations through "piggy bank" assignment, triggering such adjustments when either the drift gillnet or seine fisheries five year average ex-vessel value falls below 45 percent.
- 8) It imposed restrictions on set net fishery, limiting weekly open periods to no more than 36 hours starting July 10 during years in which the five year average ex-vessel value of the set net fishery exceeds 5 percent.

None of the concepts in the proposal 27 substitute language should have been a surprise to any participant in the working group or to anyone who had been following the working group progress. Despite the fact that consensus had not been reached, all concepts in the proposal 27 substitute been previously discussed in committee. Board members were aware that the substitute language contained tighter triggers than those supported by drift net permit holders, that some drift net permit holders objected to closure of the Granite Bay Subdistrict as a

buffer area, and that some drift net permit holders objected to the exclusion of VFDA enhanced fish. Board members were aware that some setnet permit holders desired a higher trigger, and desired exclusive access to some fishing areas for the set and drift gillnet permit holders. Board members were also aware that some seine permit holders objected strongly to the exclusion of wild stocks. Following issuance of the Committee B Report with its recommended substitute language, on December 4, at 5:00 p.m., the public had additional opportunity to submit written comments to the Board or to discuss the proposal with individual Board members prior the Board's deliberations on the proposal on December 5. A number of comments relevant to the proposal, including RC's 91, 93, 94, 99, 100 were received and considered by Board members.

#### Board Action

The Board brought proposal 27 to the table, accepted the Committee B substitute language, and then deliberated on proposal 27 on December 5, 2005, from 3:42 p.m. to 4:25 p.m. Board Member Morris went through the background, timeline, and history of the proposal and walked through the substitute language with the Board explaining that the existing plan was not working with the Seine permit holders consistently unable to harvest their allocation and the drift and set net permit holders consistently exceeding their allocations. Board member Morris explained how the new plan would work to achieve the allocations it established, and that the old allocation if reestablished in an enforceable manner would cause significant disruption of more recent harvest patterns. Board member Morris explained that the most recent year would not be included in determinations of average catch value because COAR data would not be available in a timely manner. Board member Morris also explained that the substitute language involved two triggers, if the seine to drift average catch percentages were off by at least 3 percent but less than 5 percent, PSWAC would be given an opportunity to correct the balance through cost recovery modifications; if the percentages were off by five percent or more the user group that was behind on their allocation would be given exclusive access to "piggy bank" areas during the next season. The plan would continue to prohibit in season adjustments by the Department to achieve allocation goals.

The Board discussed the allocation criteria found in 5 AAC 39.205.

- 1) On the first criteria, the history of each fishery, it was noted that the fisheries involved are all commercial salmon fisheries (drift, setnet, and seine) and that all three groups have been actively involved in the fisheries for over 30 years. It was also noted that the current allocation plan had been in effect since 1991 and incorporated historical values for the previous 20 years. It was also noted that revised plan would not change the characteristics of the fishery.
- 2) On the second criteria, the number of resident and nonresident participants, it was noted that in 1980's and early 1990's the fleet makeup was fairly consistent with approximately 220-260 active purse seine permits and 400-500 active drift gillnet permits, and 20-25 active set gillnet permits. It was also noted that the number of active seine permits had declined since the early 1990's to slightly over 100 and that the number of active drift gillnet permits had not substantially changed. There was some discussion indicating that falling chum and pink prices had hurt seine participation while gillnet participation was maintained at historic levels due to more stable sockeye prices.

- 3) The third criteria, importance for providing residents the opportunity to obtain fish for personal and family consumption, was not considered relevant since all three fisheries were commercial fisheries.
- 4) On the fourth criteria, availability of alternative fishery resources, it was noted that there were no alternative resources since all salmon stocks in Prince William Sound are fully utilized.
- 5) On the fifth criteria, importance of each fishery to the economy of the state, it was noted that all three are very important fisheries, vitally important.
- 6) On the sixth criteria, the importance of each fishery to the economy of the region and local area, it was noted that the fisheries were equally valuable and vital since most the salmon are processed and shipped from Prince William Sound.
- 7) The seventh criteria, importance in providing recreation opportunities for residents and nonresidents, was not considered relevant since all three fisheries are commercial fisheries.

It was noted that the plan would not create any additional cost for participants, and that while the plan might be painful for some, it put things closer to where they need to be. The Chair noted that while the plan was still not perfect that it was a good and workable plan.

After deliberating, the Board adopted proposal 27 with the Committee B substitute language by a 7/0 vote.

#### Reaffirmation

Having reviewed the final regulations at 5 AAC 24.370 (am 3/30/2006, Register 177), implementing the conceptual language adopted by the Board, the Board finds that the final regulations reflect the Board's intent in adopting the conceptual language presented as substitute language for proposal 27. The Board also finds that although there are no doubt problems with the new regulations which will be before the Board in the future, the new regulations represent a significant step toward achieving the goals set out in 5 AAC 24.370(a).



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Art Nelson, Chairman  
Board of Fisheries

Approved: Carried ( 6 / 0 / 0 / 1 ) (Yes/No/Abstain/Absent)  
Date: May 3, 2006  
Location: Teleconference

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**Alaska Board of Fisheries  
Prince William Sound Allocation Plan Committee  
Summary of Meeting  
December 8, 2003**

Committee members: Art Nelson (chair), Mel Morris, (absent: Dr. Fred Bouse)

ADF&G staff: Jeff Regnart, Dan Gray, Dan Ashe

Public Panel members: Leroy Cabana, Kory Blake, Beaver Nelson, Al Whaley, George Covell, John Bocci, E.J. Cheshire, Hap Symmonds, Jason Wells

The meeting was held at the ADF&G offices in Anchorage, with some public panel members participating via teleconference. Art Nelson began with an overview on why the board decided to form this workgroup, and what its short and long term goals would be. Art Nelson referenced an October 27, 2003 letter to Page Herring of CDFU, which outlined that the short-term goal was to examine the seine and drift gillnet shared access to the Esther Subdistrict. Some stakeholders had contacted Art Nelson with concerns that during the periods when the seiners were allowed to fish in the Esther Subdistrict, some gillnet fishermen were fishing right up to the outer boundaries of the Subdistrict and "corking" off chums that the seiners might otherwise catch. It would be up to the board committee members to examine the information provided by the department and from public panel members and determine whether the board needs to take action prior to PWS coming back up in its regular cycle.

The longer-term goal for the committee and public panel is to examine the overall PWS allocation plan (5 AAC 24.370) and to develop consensus points or options for the board to consider for changes to the allocation plan when PWS comes back up in its regular cycle.

The department provided information on the seine and drift gillnet harvests in the Coghill District (which the Esther Subdistrict is a part of), showing that through July 21 (when management priority shifts to pink salmon) harvest totals of:

	<b>Seine</b>	<b>Drift Gillnet</b>
Sockeye	125,641	161,872
Coho	724	9,900
Pink	11,439,915	44,419
Chum	750,835	726,431

Seine representatives on the public panel stated that their catch of chums would have been higher had the gillnet fleet not been fishing the outer boundaries of the Esther Subdistrict when the seiners were allowed to fish, arguing that even though the two fleets were allowed equal time in the Esther Subdistrict, the seine fleet is more efficient. It was clarified that part of the board's intent is to allow "equal time, but not necessarily equal area" access to the Esther Subdistrict for the seine and drift gillnet fleets.

Gillnet representatives on the panel pointed out the seine harvest of sockeye salmon, stating that a lot of those fish were caught by seiners who moved to the southwest parts of the Esther Subdistrict to target Main Bay-bound reds.

The group discussed whether or not the board should consider buffers around the Esther Subdistrict to prevent gillnet interception of chum salmon when the seiners are fishing in the Subdistrict, and also if the Board should also consider measures to reduce the outer areas of the Subdistrict to prevent Main Bay red salmon interception.

Seine representatives suggested a buffer line in Port Wells at Pt. Pakenham or at Golden. It was pointed out that there could be quality issues with such a buffer. In some years, considerable quantities of chum salmon mill on the west side of Esther Island and begin to color-up before moving into the Esther Subdistrict.

The department requested that if the board was to consider buffer areas, a "relief valve" be put in to allow the department to drop the buffers in years when there is a very large return.

There was no consensus from the public panel members on the issue of chum salmon buffers.

More discussion followed in regard to whether or not the board should consider sockeye buffers. It was pointed out that most of the reds caught by the seiners were around the north side of Culross Island. There seemed to be general consensus among the public panel members that there was not any real problem that the board needed to address on this issue.

## ALASKA BOARD OF FISHERIES

FINDINGS REGARDING THE PRINCE WILLIAM SOUND  
MANAGEMENT AND SALMON ENHANCEMENT  
ALLOCATION PLAN (5 AAC 24.370)

At its meeting in Cordova, the Board of Fisheries (board) took staff reports, both oral and written, oral and written testimony from the public and advisory committee reports concerning the allocation of Prince William Sound salmon stocks between three different gear types; seine, drift gillnet and set gillnet. The current allocation plan is found in 5 AAC 24.370, the Prince William Sound Management and Salmon Enhancement Allocation Plan. The board had numerous proposals before it to change this particular regulation.

The history of attempts to establish allocations between the gear types goes back more than seven years and involves this board, the Prince William Sound Aquaculture Corporation (PWSAC), the Regional Planning Team (RPT) and numerous members of the public. Despite the best efforts of all of these people, and because of changes in conditions and PWSAC practices, the allocation plan is currently not working in the manner intended.

For a historical perspective, the board reviewed and discussed how the current situation was created. The existing regulation arose out of an agreement between gear types facilitated by PWSAC, the RPT and the board. In a prior form of the regulation (5 AAC 24.370), the board expressly recognized the allocation policy adopted by PWSAC in May, 1990. This regulation has been in effect since 1991.

After hearing from the public, the board has determined that the allocation plan is generally acceptable to all of the parties involved in terms of its allocation percentages. Admittedly, the set gillnetters would prefer to have their allocation percentage increased from one percent (1%) to two point three percent (2.3%) of ex-vessel value, but since they have a small and singular fishery (Main Bay and Crafton Island subdistricts), their fishery will produce what it produces regardless of the percentage assigned. The two largest fisheries (seine and drift gillnet) still agree that their respective allocations should remain at forty-nine percent (49%) and fifty percent (50%) respectively, although there is evidence that the actual percentages should be forty seven point five percent (47.5%) for seiners, fifty one point five percent (51.5%) for drift gillnetters and one percent (1%) for set gillnetters (See letter from Board Chair Kay Andrew to Commissioner Carl Rosier, page 2, numbered paragraph three, dated February 13, 1994). There has been some public testimony concerning these percentages which vary by one and one-half percent (1.5%) from the percentages set forth in the regulations.

In this regard, it should first be understood that these allocations are not intended to be a specific allocation number for each gear type for each season, but rather a long-term goal or objective of the board which, if not realized over a long term (more than 2 board cycles), could

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revised

result in a change in the allocation provisions of the regulation. Further, it is impossible for this board or the staff to manage the resource within one or two percentage points. Finally, in this board's opinion, it would be more appropriate for the gear types to agree on a range of percentages and agree upon a method for adjustment as has been done in other fisheries (See 5 AAC 33.364-Southeastern Alaska Area Enhanced Salmon Allocation Management Plan).

The problem which was presented to the board is based upon two factors. The first factor is the dramatic reduction in pink salmon prices. The second factor is the current inability of PWSAC to fulfill that portion of its allocation plan which required additional production of fish. Simply stated, the problem arises from the fact that, over the last six (6) years, the average ex-vessel value for the drift gillnet fleet has been approximately seventy-five percent (75%) of the total ex-vessel value of all salmon (wild and enhanced) and the average ex-vessel value for the seine fleet has been approximately twenty-five percent (25%) of the total ex-vessel value.

This disparity is based upon an ex-vessel value based upon a combination of both wild and enhanced stocks. There is no debate as to the accuracy of these numbers. The only question here is to the use of both wild and enhanced stocks in calculating ex-vessel value. There is a significant debate going on between the seiners and the drifters over the inclusion/exclusion of wild stocks in the calculation of the ex-vessel value.

Ex-vessel value of both stocks were used in determining the historic percentages. However, the PWSAC policy statements which were presented to the board, all refer to enhanced stocks until the very end of the PWSAC Allocation Policy on Enhanced Salmon. An Explanation to Clarity Intent of Key Statements, Policy Clarification Statements, page 48, paragraph 6 where wild stocks were referred to as follows:

"6. It is the intent of the authors of the policy that production planning will attempt to achieve a balance of enhanced salmon harvest value. This intent is based on the assumption that established the historic basis for the allocation ratio. That is, wild stocks, averaged over time, were and will be harvested according to the balanced value ratio. Should this premise hold true, then a balance of enhanced salmon harvest value will maintain an economic balance between the gear groups. Only over time can this condition be achieved due to annual harvest value fluctuations. However, should it become apparent that economic balance trends away from the historic balance due to persistent failures of wild stocks, changing fish values, evolving environmental conditions, enacted laws regulations or any other factor(s) which may change the described balance, then production will be planned to rebalance the ratio such that the over-all economic balance in the fishery is maintained. This statement clearly supports the intent of the policy statement that "[t]his balance will be utilized in planning and production as a long term approximate projection goal anticipated to achieve equitable value in returning salmon..." (emphasis in the original).

Based on the foregoing language, it appears as if PWSAC was using both enhanced and wild stocks in its allocation determinations even though PWSAC could only allocate as to enhanced stocks. Further, members of the public who also served on the PWSAC board, on the allocation

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committee, who are commercial fishermen, and who are apparently very knowledgeable concerning the PWSAC allocation policy, state that all fish, both wild and enhanced, were to be included in the calculation of ex-vessel value.

However, this is strongly disputed by others, primarily drifters, who contend to the contrary. Some of these individuals are also knowledgeable, having been active in the development of the PWSAC allocation policy. This disagreement as to one of the fundamental precepts of the PWSAC allocation policy needs to be resolved by the board.

Further, of considerable importance to this board, is the fact that a prior board, when it adopted this regulation in 1991, stated its intent as follows:

"...to allocate the natural and enhanced salmon stocks in Prince William Sound in such a manner as to maintain the long-term historic balance between competing commercial users that existed since statehood and prior to any significant production from enhancement programs."

Thus, the prior board decided that allocation decisions would be based on both wild and enhanced stocks.

If both wild and enhanced stocks are used in the calculation of the ex-vessel value, the disparity over the last six years is as noted above. If only enhanced stocks are used in the calculation of the ex-vessel value, the disparity is minimal and no adjustments would be necessary.

Thus, this board first needs to decide which ex-vessel value to use in its allocation determinations. After discussion, the board determined that both wild and enhanced stocks would be used in its allocation decisions. The reasons for this decision include the prior board's determination, the testimony of the public, the written record presented to the board and, most importantly, the fact that the historic catch of all salmon stocks reflects a division between gear types substantially in line with decisions based on both wild and enhanced stocks.

Next, the board discussed the percentages themselves and, for the reasons stated above, determined that the percentages stated in the proposal (drift gillnet 50%, seine 49% and set gillnet 1%) represented an approximate allocation percentage for each gear group. It was stressed by the board in its discussions that it would much rather see a range for the allocation percentages, but that these specific percentages are of sufficient merit to be "recognized" by the board.

The board then discussed the department's determination of the ex-vessel value. Staff was solicited to comment. The staff's comments were to the effect that this provision was appropriate and feasible. Since some ex-vessel measuring tool is required, this is an acceptable method. This method was adopted by the board.

Subsection (d) was then discussed by the board. It was noted that this subsection is substantially identical to the existing regulation with only one change. The only change is found in subparagraph (5)(B) which allows the seine fleet to fish in previously closed waters because of

fisheries.

board recognized both the difference in gear efficiency and the "richness" of the two "piggy bank" and by permitting the drift gillnet fleet to fish exclusively in the Port Chalmers Subdistrict, the granting the drift gillnet fleet both the potential of a larger area, by permitting a dual gear fishery efficient seine fleet to a smaller area than the drift gillnet fleet in the Esther Subdistrict. By the interception of Coghill Lake sockeye salmon by allowing the department to confine the more adjust allocation disparities over the shorter term. The regulation adopted took into consideration Based on the foregoing, the board decided to proceed with the "piggy bank" concept to

run, to bring the gear types into compliance with the allocation percentages.

not an appropriate goal and that the board should not adopt regulations which tend, in the short over a similar lengthy period. This conclusion, however, does not mean that shorter term parity is determined on a twenty year plus period. Thus, parity is something which should be achieved maintained over the short run. Parity is a long-term goal. Originally, the allocation divisions were The board also discussed the fact that there is no way in which parity can be precisely

which, in turn, will effect the drift gillnet fleet which participates in the Main Bay fishery.

the board took note of the problems at the Main Bay hatchery which will affect the sockeye return noted that the seine fleet is more efficient than the drift gillnet fleet in harvesting salmon. Finally, interception of Coghill Lake bound sockeye salmon in the Esther Subdistrict. The board also Subdistrict is less than the potential harvest in the Esther Subdistrict. There is also a risk of Also with regard to these two "piggy banks", the potential harvest in the Port Chalmers Subdistrict is traditionally (by agreement since 1990) a drift gillnet fishery during this period. June 1 through July 20. The Port Chalmers area is a traditional seine fishery. The Esther Port Chalmers Subdistrict and the enhanced chum salmon run in the Esther Subdistrict beginning areas within Prince William Sound, the enhanced chum salmon run at Port Chalmers in the new materials provided by staff and by the public, there appears to be two potential "piggy banks" From discussions with staff and the public, as well as the board's review of the written

and drift gillnetters.

corrective actions which can be taken involve re-allocations between the two user groups, seiners corrective action is both biologically and financially impossible. Thus, the only short term run, there is no corrective action which can be taken based upon increased production. Such handled by increased production by PWSAC. This may or may not occur. However, in the short gear types could be corrected in the short run. Corrections in the long run were intended to be by the fishermen who fish in this fishery as a method by which disparities in the allocation between The board then discussed the "piggy bank" concept. This concept was originally developed

previously closed waters so long as the predominant species is pink salmon.

particular area. There, the regulation was amended so as to allow the seine fleet to fish in With the pending absence of these coho, there is no reason to confine the seine fleet to any production of these coho. The seine fleet was confined to an area to avoid harvesting these coho. was harvested by the drift gillnet fleet. Because of a disease situation, the hatchery has ceased a change in the coho fishery. Previously, the Noerenberg Hatchery was producing coho which

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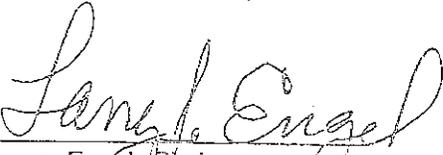
Finally, the board established 1997 as the "base" year. There will be no changes in the 1997 fishery in Prince William Sound. The seine fleet will fish in the new Port Chalmers Subdistrict. The drift gillnet fleet will have the exclusive right to fish in the Esther Subdistrict from June 1 to July 20. Only in 1998 and beyond, will any of the "piggy banks" be used for either gear group. The board expects this matter to be considered again in the next cycle.

In conclusion, the board completely and thoroughly reviewed the fishery and the competing gear types. By reaching its decision it put to rest over seven (7) years of dispute between the various gear groups. Finally, by adopting the new regulation, the board cleared up the previously existing regulatory problems.

At Sitka, Alaska

Date: January 29, 1997

Approved: 6/0/0/1 (Yes/No/Absent/Abstain)

  
Larry Engel, Chairman  
Alaska Board of Fisheries

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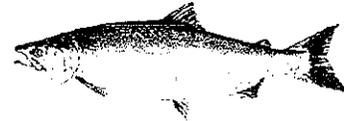
# ALASKA DEPARTMENT OF FISH AND GAME

## DIVISION OF COMMERCIAL FISHERIES



### NEWS RELEASE

*Denby S. Lloyd, Commissioner*  
*John R. Hilsinger, Director*



**Contact:**

Jeremy Botz, Seine Area Management Biologist  
Glenn Hollowell, Gillnet Area Management Biologist  
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Prince William Sound Area Office  
401 Railroad Avenue, PO Box 669  
Cordova, AK 99574-0669  
Date Issued: September 2, 2008  
Time: 3:00 pm

#### Prince William Sound Salmon Allocation Plan (5 AAC 24.370) News Release

The department calculated the exvessel value percentages for each gear group using the Commercial Operators Annual Report (COAR) area specific prices and weights (Table 1). The 2003-2007 five-year average value percentages for each gear type are **42.9%** drift gillnet, **57.1%** purse seine, and **5.3%** set gillnet (Table 2). **As a result, the drift gillnet gear group will have exclusive access to the Port Chalmers Subdistrict from June 1 to July 30 in 2009 and the set gillnet gear group will be limited to no more than 36 hours per week beginning July 10.**

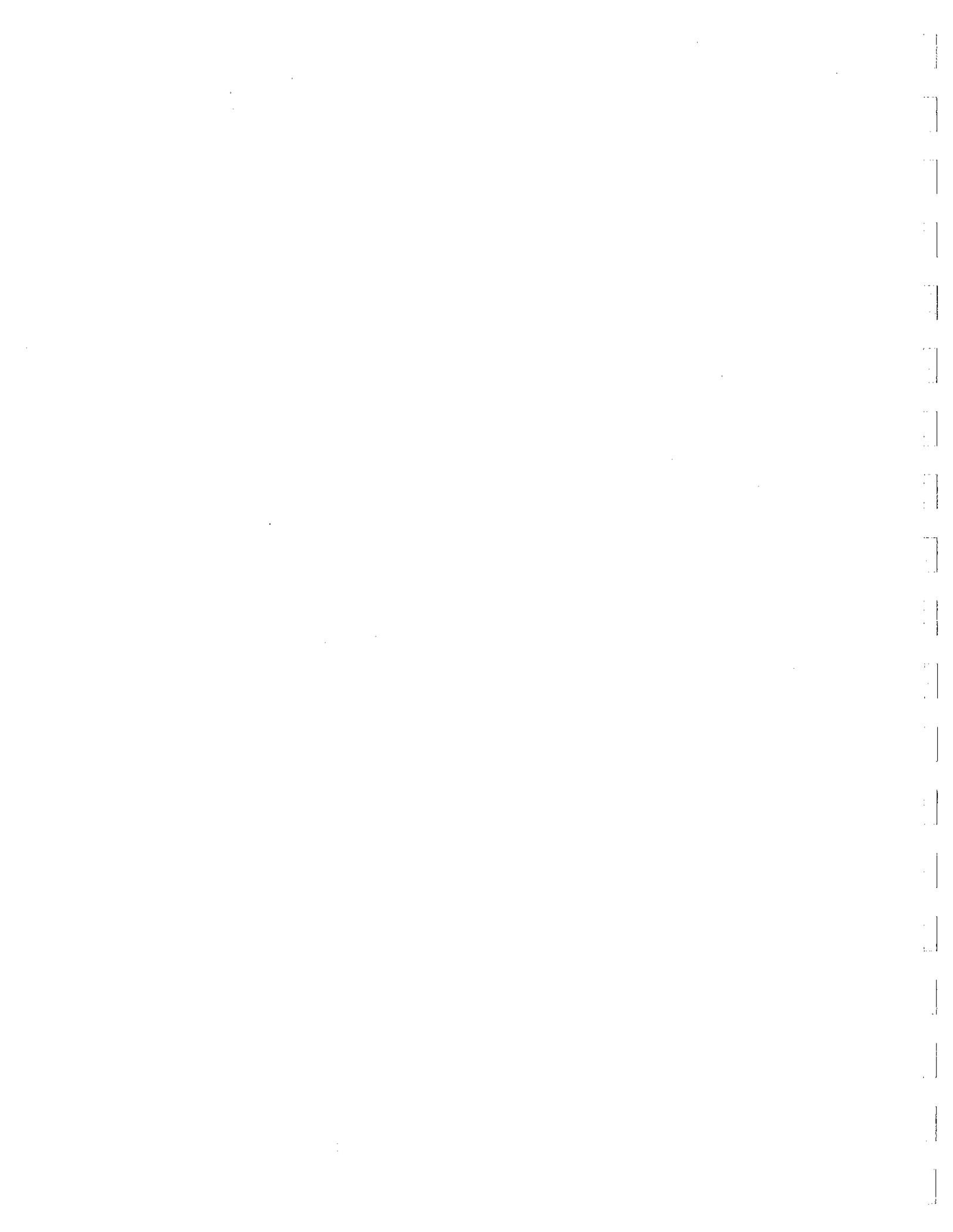
In December 2005, the Board of Fisheries modified the Prince William Sound Management and Salmon Enhancement Allocation plan 5AAC 24.370. The modifications eliminate wild stocks and Valdez Fisheries Development Association enhanced fish from the plan and allocate only Prince William Sound Aquaculture Corporation (PWSAC) enhanced fish. Additionally, a five-year average exvessel value is now used rather than annual value percentages. The set gillnet gear group allocation is now 4% of the five-year average value of PWSAC enhanced salmon stocks. If the set gillnet gear group exceeds 5% of the of the five-year average value of PWSAC enhanced stocks, they will be limited to no more than 36 hours of fishing time per week beginning July 10 in the following year. The drift gillnet and purse gear groups each receive 50% of the remaining value of PWSAC enhanced salmon stocks (excluding the set gillnet harvest). If the drift gillnet gear group harvest value is 45 percent or less, then in the year following the current calculations, the drift gillnet gear group shall have exclusive access to the Port Chalmers Subdistrict to harvest enhanced salmon returns from June 1 though July 30, during fishing periods established by emergency order. The trigger point that allows access to specific areas for corrections in allocation was changed from 40% to 45% making the plan more responsive to allocation shortfalls. Exvessel values are calculated using prices from the COAR, and ADF&G harvest estimates of PWSAC enhanced fish by species and gear type.

Table 1. The 2007 COAR price per pound by gear type, species, and area.

2007	Drift Gillnet		Purse Seine	Set Gillnet
	Copper/Bering	Prince William Sound	Prince William Sound	Prince William Sound
Chinook	\$4.62	\$1.36	\$0.78	\$2.88
Chum	\$0.09	\$0.33	\$0.30	\$0.34
Coho	\$0.95	\$0.87	\$0.60	\$0.27
Pink	\$0.10	\$0.14	\$0.18	\$0.11
Sockeye	\$1.88	\$1.06	\$0.85	\$1.03

Table 2. Final calculation of values and percentages by gear type for Area E.

Year	Drift Gillnet		Purse Seine		Set Gillnet	
	Value	%	Value	%	Value	%
2003	\$6,939,203	44%	\$8,719,618	56%	\$1,071,690	6%
2004	\$4,033,495	71%	\$1,646,086	29%	\$417,569	7%
2005	\$4,369,411	34%	\$8,312,855	66%	\$426,091	3%
2006	\$7,010,574	55%	\$5,851,983	45%	\$781,184	6%
2007	\$8,365,677	34%	\$16,394,816	66%	\$1,287,859	5%
Total	\$30,718,359		\$40,925,358		\$3,984,393	
5-yr Average		<b>42.9%</b>		<b>57.1%</b>		<b>5.3%</b>



Alaska Board of Fisheries  
and  
Alaska Department of Fish and Game

*Joint Protocol on Salmon Enhancement*  
#2002-FB-215

**Background:** In actions taken in January 2001 and June 2002 the Alaska Board of Fisheries stated its intent to institutionalize a public forum to bring a statewide perspective to issues associated with hatchery production of salmon. Accordingly, the department and board agreed to enter into this joint protocol to coordinate department and board interaction on certain aspects of salmon hatchery policy and regulation.

**Authorities:** The commissioner of the Department of Fish and Game has exclusive authority to issue permits for the construction and operation of salmon hatcheries. The Board of Fisheries has clear authority to regulate access to returning hatchery salmon and to amend, by regulation, the terms of the hatchery permit relating to the source and number of salmon eggs. The Board of Fisheries' authorities also include the harvest of fish by hatchery operators and the specific locations designated by the department for harvest (see AS 16.10.440(b) and Department of Law memorandum to the board dated November 6, 1997).

**Statement of Intent:** It is the intention of the commissioner of the Department of Fish and Game and the chairman of the Board of Fisheries that meetings be held on a regular basis wherein the department will update the board and the public on management, production, and research relating to Alaska's salmon enhancement program

**Protocol:** The joint department-board meeting on hatchery described here will take place at a mutually agreeable time and place during regularly scheduled meetings of the board. The meetings will provide a forum for open discussion on a mutually agreed upon agenda of hatchery topics. The agenda may include site-specific as well as regional or statewide hatchery issues. These salmon enhancement meetings will not be open for regulatory actions and no hatchery-related petitions or agenda change requests (ACRs) will be considered as action items. These meetings are open to the public. At its discretion and upon appropriate notice, the board may open the meeting to public comment.

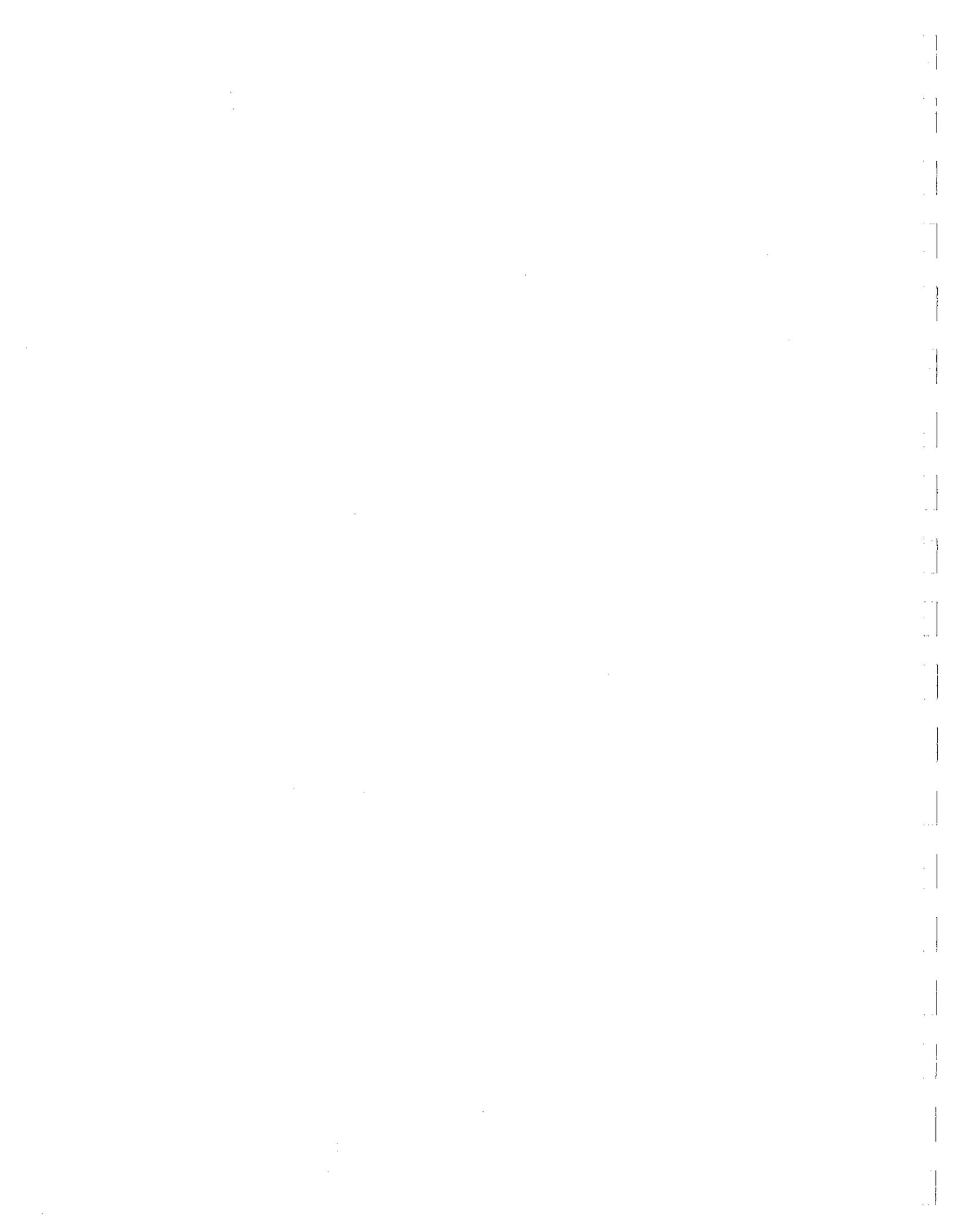
The hatchery meetings will provide an opportunity for the board and the public to receive reports from the department on hatchery issues including: production trends, management issues, updates on hatchery planning efforts, wild and hatchery stock interactions, biological considerations, and research. Requests for report from the department may be made during the board's work session during meeting years when there is a hatchery forum scheduled.

As appropriate, the board and department may agree to invite other state and federal agencies, professional societies, scientists, or industry spokespersons to attend and to contribute information on particular topics, or sponsor other discussions, such as marketing or intrastate effects.

Dated: June 28, 2002

  
Ed Dersham, Chairman  
Alaska Board of Fisheries

  
Frank Rue, Commissioner  
Alaska Department of Fish and Game



# MEMORANDUM

State of Alaska

Department of Law

TO: Dr. John White  
Chair  
Alaska Board of fisheries

DATE: November 6, 1997

FILE NO.: 661-98-0127

The Honorable Frank Rue  
Commissioner  
Department of Fish & Game

TELEPHONE NO.: 269-5240

SUBJECT: Authority of the Board of  
Fisheries Over Private  
Nonprofit Hatchery  
Production

FROM: Robert C. Nauheim  
Lance B. Nelson  
Assistant Attorneys General  
Natural Resources-Anchorage

## I. Introduction

In your memorandum of June 24, 1997, and in discussions at the recent Board of Fisheries (Board) work session, you requested guidance regarding the authority of the Board over private, nonprofit salmon hatcheries and their operations. Specifically, you asked for a review of (1) statutes and regulations relating to the authority of the Board and the Commissioner of the Department of Fish and Game (commissioner) over hatchery salmon production and cost recovery, (2) the historical development of Board authority in this area, (3) the scope of the Board's authority over hatchery salmon production, and (4) the relationship between the Department of Commerce and Economic Development's hatchery loan program, the Board, and the Department of Fish and Game (department). We understand that you require an analysis of these issues to assist the Board in its discussions during its upcoming meetings.

## II. Summary Answers

1. The legislative scheme for the regulation of private, nonprofit hatcheries vests the more detailed, comprehensive authority in the commissioner and department.

2. Although the board initially had broad rule-making authority over all aspects of the private, nonprofit hatchery program, the legislature significantly restricted that authority by an amendment to AS 16.10.440(b) in 1979.

3. The Board may exercise indirect authority over hatchery production by regulating the harvest of hatchery-released fish in the common use fishery, hatchery brood stock and cost-recovery harvests, and by amending those portions of hatchery permits relating to the source and number of salmon eggs, hatchery harvests, and the designation of special harvest areas by the adoption of appropriate regulations. However, Board action that effectively revokes, or prevents the issuance of, a hatchery permit is probably not authorized.

4. The Commissioner of the Department of Commerce and Economic Development is independently responsible for the implementation of the hatchery loan program under AS 16.10.500 - 16.10.560.

### **III. Discussion**

This discussion focuses primarily upon an evaluation of existing Board authority over the operation of private, nonprofit salmon hatcheries. It opens with a review of the extensive statutory authority of the commissioner and the department over hatcheries.

Beginning in 1974, the legislature adopted various statutory provisions regulating the construction and operation of private, nonprofit salmon hatcheries in Alaska. The goal of the program was "the rehabilitation of the state's depleted and depressed salmon fishery." Sec. 1, ch. 111, SLA 1974. Although the legislature initially granted both the department and the Board responsibility for the program, it limited what was initially a broad grant of rule-making authority to the Board over the implementation of the program by statutory amendment in 1979.

#### **A. Commissioner/Department Authority over Hatcheries**

The hatchery statutes place direct and nearly comprehensive responsibility for the private, nonprofit hatchery program in the hands of the commissioner and the department. The legislature has granted exclusive authority to the commissioner to issue permits for the construction and operation of salmon hatcheries. *Id.* at § 2; AS 16.10.400-16.10.430 (as amended). We believe this broad and detailed permitting authority was intended to assign responsibility for the fundamental policy determination of whether to authorize the operation of a private, nonprofit hatchery to the commissioner and department.

## **1. Pre-permit Responsibilities**

Pursuant to AS 16.10.375 the commissioner must designate regions of the state for salmon production and develop a comprehensive salmon plan for each region through teams consisting of department personnel and nonprofit regional associations of user groups.

The commissioner also has the task of classifying an anadromous fish stream as suitable for enhancement purposes before a permit for a hatchery on that stream may be issued. AS 16.10.400(f). AS 16.10.400(g) requires a determination by the commissioner that a hatchery would result in substantial public benefits and would not jeopardize natural stocks.

The statutes also require the department to conduct public hearings near the proposed hatcheries, and to consider comments offered by the public at the hearings before issuance of a permit. AS 16.10.410.

## **2. Permit Issuance and Hatchery Operation Responsibilities**

For issuing a private, nonprofit hatchery permit, the legislature delegated to the department the power to control the following:

- (1) the specific location where eggs or fry may be placed in the waters of the state (AS 16.10.420(2));
- (2) the source of salmon eggs procured by the hatchery (AS 16.10.420(1));
- (3) the resale of salmon eggs procured by the hatchery (AS 16.10.420(3));
- (4) the release of salmon by the hatchery (AS 16.10.420(4));
- (5) the designation of the manner and place for the destruction of any diseased salmon (AS 16.10.420(5));
- (6) the specific locations for the harvest of adult salmon (AS 16.10.420(6));
- (7) the first option to purchase surplus eggs from a hatchery and inspection of eggs and the approval of sale of those eggs to other hatcheries (AS 16.10.420(7));
- (8) the determination of reasonable segregation by location) of hatchery from natural stocks (AS 16.10.420(10));

- (9) the source and number of salmon eggs to be used by the hatchery (AS 16.10.445(a)); and
- (10) the inspection of hatchery facilities (AS 16.10.460).

### **3. Alteration, Suspension, or Revocation Authority**

The commissioner may suspend or revoke a permit after determination of a failure to comply with conditions and terms of the permit. AS 16.10.430(a). Upon a finding "that the operation of the hatchery is not in the best interests of the public, the commissioner may alter the conditions of the permit to mitigate the adverse effects" and, in extreme cases, may "initiate termination of the operation under the permit over a reasonable period of time under the circumstances, not to exceed four years." AS 16.20.430(b).

The foregoing authorities demonstrate that the legislature granted detailed and broad authority to the commissioner and the department for the implementation and day-to-day regulation of salmon hatcheries. On the other hand, the specific authority given to the Board is more circumscribed.

### **B. Board of Fisheries' Authority over Hatcheries**

Although the legislature placed primary administrative authority over the permitting and day-to-day operation of hatcheries within the department, it also vested considerable general and specific authority in the Board of Fisheries. The Board's regulatory authority over private, nonprofit hatcheries is governed primarily by AS 16.05.251, 16.10.440 and 16.10.730.

#### **1. Board Authority under AS 16.05.251**

The Board's general rule-making powers over fish and the taking of fish are set out in AS 16.05.251. These powers include setting time, area, and methods and means limitations on the taking of fish. AS 16.05.251(a)(2), (4). The Board also establishes quotas, bag limits and harvest levels. AS 16.05.251(a)(3).

The Board has broad authority to "adopt regulations it considers advisable . . . for regulating commercial, sport, guided sport, subsistence, and personal use fishing as needed for the conservation, development, and utilization of fisheries." AS 16.05.251(a)(12).

This authority includes the power to allocate fishing opportunities between competing user groups. *Meier v. State*, 739 P.2d 172, 174 (Alaska App. 1987); AS 16.05.251(e). The Board's authority extends to the regulation of the harvest of hatchery fish and egg collection. *See* 1990 Inf. Op. Att'y Gen. 41 (August 1; 663-90-0327) (Board's regulatory authority extends to management of hatchery brood stock and allocation of cost-recovery fishing). Existing regulations reflect this principle. *See* 5 AAC 40.005 (harvest of hatchery-produced fish governed by Board regulation). The Board also has general authority to adopt regulations for "prohibiting and regulating the live capture, possession, transport, or release of native or exotic fish or their eggs." AS 16.05.251(a)(9). This provision would include, but is not limited to, regulation of the capture, possession, transportation, and release of salmon and their eggs by hatcheries. *Id.*

## 2. Board Authority under AS 16.10.440

In former AS 16.10.440, the legislature initially vested broad rule-making authority in the Board of Fisheries and Game<sup>1</sup> over hatchery-produced fish and the implementation of the hatchery program in general. Sec. 2, ch. 111, SLA 1974. Former AS 16.10.440 provided:

REGULATION: (a) Fish released into the natural waters of the state by a hatchery operated under secs. 400 - 470 of this chapter are available to the people for common use and are subject to regulation under applicable law in the same way as fish occurring in their natural state until they return to the specific location designated by the department for harvest by the hatchery operator.

(b) The board may promulgate regulations necessary to implement secs. 400 - 470 of this chapter.

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<sup>1</sup> Prior to 1975, regulatory authority over the harvest of fish and game resources was vested in the Board of Fisheries and Game. In 1975 the legislature abolished the Board of Fisheries and Game and simultaneously created a separate Board of Game and Board of Fisheries, each having broad regulatory powers. Ch. 206, SLA 1975; *see also* AS 16.05.221, 16.05.241, 16.05.251, 16.05.255. The legislature also amended AS 16.10.440(b) to clarify that the authority over hatcheries formerly resting in the Board of Fisheries and Game was to be held by the newly created Board of Fisheries.

Alaska Statute 16.10.440 (a), which has remained unchanged since 1975, confirms that fish released by hatcheries into the natural waters of the state are, as are all wild fish and game within the state, available for common use and subject to lawful regulation. *See generally McDowell v. State*, 785 P.2d 1, 5-9 (Alaska 1989)(equal access clauses of art. VIII of Alaska Constitution are intended to provide the broadest possible public access to state's fish and game.)

Alaska Statute 16.10.440(a) does purport to exempt the effect of at least some applicable law to hatchery-produced fish once the fish arrive at areas designated by the department for harvest by the hatchery operator. *See AS 16.10.440(a)* (fish subject to regulation "until they return to the specific location designated by the department for harvest by the hatchery operator"). For reasons discussed in greater detail below, AS 16.10.440(a) does not significantly limit the authority of the Board or the department to regulate hatchery-produced fish at these locations, since AS 16.10.440(b) goes on to grant specific authority for regulation at the point of return.

Former AS 16.10.440(b) vested in the Board of Fisheries and Game broad authority to "promulgate regulations necessary to implement sec. 400 - 470 of this chapter." This broad language purported to give the Board of Fisheries and Game expansive rule-making authority over all aspects of carrying out the hatchery program.

In 1979, the legislature amended AS 16.10.440(b), eliminating the broad authority "to promulgate regulations necessary to implement" the hatchery program, and replacing it with more specific, but limited responsibilities:

(b) The Board of Fisheries may, after the issuance of a permit by the commissioner, amend by regulation adopted in accordance with the Administrative Procedures Act (AS 44.62), the terms of the permit relating to the source and number of salmon eggs, the harvest of fish by hatchery operators, and the specific locations designated by the department for harvest. The Board of Fisheries may not adopt any regulations nor take any action regarding the issuance or denial of any permits required in AS 16.10.400-16.10.470.

Sec. 3, ch. 59, SLA 1979.<sup>2</sup>

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<sup>2</sup> In 1979, the legislature also authorized the Commercial Fisheries Entry Commission to issue special harvest area limited entry permits to operators of private, nonprofit hatcheries. Sec. 1, ch. 64,

The legislative history of the 1979 amendment reveals the legislative intent behind the new, more restricted language:

Section 2 of the bill [HB 359] amends AS 16.10.440(a)(b). The amendment clarifies the role of the Board of Fisheries. The role of the Board of Fisheries as envisioned by the original legislation was to *regulate the harvest of salmon returning to the waters of the state. That role extends to regulating those fish which are returning as a result of releases from natural systems and also from hatchery releases.* There are provisions in other portions of the non-profit hatchery Act which allow the designation of specific locations for the harvest of salmon by the hatchery operator for sale, and use of the money from that sale, for the specific purposes as stated in AS 16.10.450. *The added language clarifies that the Board of Fisheries may adopt regulations relating to the harvest of the fish by hatchery operators at the specifically designated locations.* The Board of Fisheries in the past year or two has enacted regulations relating to those harvests for several of the private non-profit hatcheries in the state.

The intention of the original bill relating to the non-profit hatchery Act as amended in recent years was that the permits for the construction and operation of the private non-profit hatcheries were to be issued by the Commissioner of the Department of Fish and Game. Specific language in AS 16.10.400 lays out the grounds for the issuance of the permits and AS 16.10.420 lays out the statutory guidelines that must be included in such a permit. Those statutory provisions remain the same under this amendment.

In this bill AS 16.10.440(b) is deleted and the necessary powers are substituted in the language which is added to (a).<sup>3</sup> That deletion helps

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SLA 1979; AS 16.43.400-16.43.440. Special harvest areas may be designated by the department in a hatchery permit, by emergency orders under AS 16.10.420, or by regulation adopted by the Board under AS 16.05.251 or AS 16.10.440(a). *See* 1993 Inf. Op. Att'y Gen. 273 (July 16; 663-93-522).

<sup>3</sup> In the final version of the bill passed by the legislature, the language referenced here was again divided into two subsections, leaving AS 16.10.440(a) intact and moving the new language into subsection (b).

clarify a technical problem which has arisen because the original section (b) stated that the Board of Fisheries may promulgate regulations necessary to implement subsections 400 - 470 of this chapter. That in effect gave the Board of fisheries the power to enact regulations regarding a requirement by the Department of Commerce and Economic Development. In section .470(b) the Department of Commerce and Economic Development is instructed to provide a form to the permit holder for submission of an annual report regarding the financial aspects of the hatchery operation, if such a hatchery operator has obtained a loan from the State of Alaska.

House Journal, March 15, 1979 (remarks of Rep. Fred Zharoff, Chm. House Resources Committee regarding HB 359) (emphasis added).

### 3. **Board Authority under AS 16.05.730**

In 1992, the legislature enacted AS 16.05.730<sup>4</sup>, which requires the department and Board to manage all fish stocks consistent with the sustained yield of wild fish stocks and authorizes, but does not require, management consistent with the sustained yield of enhanced stocks. AS 16.05.730(a). In addition, the statute mandates Board consideration of the need of enhancement projects to obtain brood stock when allocating enhanced fish stocks, and authorizes the Board to direct the department's management to achieve an adequate return for brood stock. AS 16.05.730(b). The Board may also consider the need for enhancement projects to harvest and sell fish to obtain funds for project operation, may direct the department to provide a reasonable harvest of fish to the hatchery for those purposes, and may adopt management plans to provide fish to a hatchery to obtain funds for the purposes allowed under AS 16.10.450 or AS 16.10.480(d). AS 16.05.730(c). Significantly, while the statute requires Board consideration of hatchery brood stock needs, it does not mandate any particular level of hatchery harvest of enhanced fish stocks. Consideration of harvest and sale of fish for project funding is authorized, but not required.

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<sup>4</sup> AS 16.05.730 provides:

**Management of wild and enhanced stocks of fish.** (a) Fish stocks in the state shall be managed consistent with sustained yield of wild fish stocks and may be managed consistent with sustained yield of enhanced fish stocks.

(b) In allocating enhanced fish stocks, the board shall consider the need of

**C. The Balance between Department Commissioner and Board Authority over Private Nonprofit Hatchery Production**

As the foregoing discussion suggests, the department and the Board share regulatory authority over private, nonprofit hatcheries. Although primary responsibility over permitting and the administration of the hatchery program rests with the department, the Board has substantial, indirect control over hatchery production by virtue of its regulatory authority to amend hatchery permits with respect to special harvest areas, the harvest of brood stock<sup>5</sup> and cost-recovery fish.<sup>6</sup>

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fish enhancement projects to obtain brood stock. The board may direct the department to manage fisheries in the state to achieve an adequate return of fish from enhanced stocks to enhancement projects for brood stock; however, management to achieve an adequate return of fish to enhancement projects for brood stock shall be consistent with sustained yield of wild fish stocks.

(c) The board may consider the need of enhancement projects authorized under AS 16.10.400 and contractors who operate state-owned enhancement projects under AS 16.10.480 to harvest and sell fish produced by the enhancement project that are not needed for brood stock to obtain funds for the purposes allowed under AS 16.10.450 or 16.10.480(d). The board may exercise its authority under this title as it considers necessary to direct the department to provide a reasonable harvest of fish, in addition to the fish needed for brood stock, to an enhancement project to obtain funds for the enhancement project if the harvest is consistent with sustained yield of wild fish stocks. The board may adopt a fishery management plan to provide fish to an enhancement project to obtain funds for the purposes allowed under AS 16.10.450 or 16.10.480(d).

(d) In this section, "enhancement project" means a project, facility, or hatchery for the enhancement of fishery resources of the state for which the department has issued a permit.

<sup>5</sup> In this memorandum, we use the term "brood stock" to designate fish returning to the hatchery as a result of hatchery operations that are harvested for the purpose of the biological reproduction of fish.

<sup>6</sup> In this memorandum, we use the term "cost-recovery" fish to designate those fish or eggs authorized to be harvested for purposes of sale under AS 16.10.450.

Though no statute expressly grants the Board regulatory authority over hatchery production *per se*, it may exercise considerable influence over hatchery production by virtue of its authority to directly amend hatchery permit terms relating to fish and egg harvesting.<sup>7</sup> We have previously advised that while the Board is authorized to do so, it is not required to allocate cost recovery fish to a hatchery. 1990 Inf. Op. Att'y Gen. 41 (Aug. 1; 663-90-0327); AS 16.05.730(c). Similarly, we have advised that the Board has authority to regulate brood stock harvest. *Id.*

The Board must *consider* hatchery brood stock needs in determining appropriate harvest levels. AS 16.05.730(b). The Board may also consider hatchery cost recovery needs. AS 16.05.730(c). However, it is not *required* to provide harvest opportunities that are inconsistent with what the Board reasonably determines to be appropriate. 1990 Inf. Op. Att'y Gen. 41 (August 1; 663-90-0327). For example, to the extent the Board believes that a hatchery permit issued by the department provides too liberal or restrictive an opportunity to harvest salmon or collect eggs,<sup>8</sup> it may amend the permit by adopting appropriate regulations.

As previously noted, AS 16.05.730 requires the Board to manage all stocks of fish consistent with the sustained yield of wild fish stocks and to consider the need of fish enhancement projects for brood stock. Accordingly, in evaluating whether to amend a hatchery permit or adopt regulations governing hatchery harvests, the Board must carefully consider the needs of fish enhancement projects to obtain brood stock and manage harvests so as to be consistent with the sustained yield of wild fish stocks. AS 16.05.730(a), (b).

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<sup>7</sup> It might be argued that the authority set out in AS 16.10.440(b) to amend hatchery permits, particularly as to the "source and number of salmon eggs," is express and direct authority to regulate hatchery production. Since the statute does not expressly address "hatchery production" or any similar concept, we have, in previous oral comments to the Board, characterized the authority over this area to be "indirect" and "implied." We continue to believe that this advice is correct.

<sup>8</sup> It has been suggested that the Board's authority to regulate the harvest of eggs from returning hatchery fish may be distinguishable from its authority to regulate the harvest of eggs from wild fish stocks. We see no reason to distinguish between these two. The Board has authority to amend hatchery permits as they relate to "the source and number of salmon eggs." AS 16.10.440(b). We believe this language covers the harvest of eggs from both wild and hatchery stocks.

The Board's authority over hatchery production is circumscribed by the 1979 amendment to AS 16.10.440(b) and, to a lesser extent, by AS 16.05.730. The Board's authority to amend permits is limited to terms in the permit "relating to the source and number of salmon eggs, the harvest of fish by hatchery operators, and the specific locations designated by the department for harvest."<sup>9</sup> Under AS 16.10.440(b) the Board "may not adopt any regulations or take any action regarding the issuance or denial of any permits required in AS 16.10.400-16.10.470." Although the meaning of this limitation is not completely clear, we conclude for the reasons set forth below that the limiting language contained in AS 16.10.440(b) was intended to clarify that the Board's specific regulatory authority over the amendment<sup>10</sup> of hatchery permits is to be limited to the authority set out in AS 16.10.440(b).<sup>11</sup>

The following principles would guide a court in interpreting AS 16.10.440(b). In interpreting a statute, a court's goal is to give effect to the intent of the legislature with due regard to the plain meaning of the statute. *Cook v. Botelho*, 921 P.2d 1126, 1129 (Alaska 1996). In addition, a court may consider the overall purpose of a statute and its legislative history. *Muller v. BP Exploration (Alaska), Inc.*, 923 P.2d 783, 789-91 (Alaska 1996). Whenever possible, each part or section of a statute must be interpreted to create a harmonious whole. *Rydwell v. Anchorage School District*, 864 P.2d 526, 528 (Alaska 1993).

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<sup>9</sup> AS 16.10.440(a) provides that hatchery-released fish are subject to Board regulation "until they return to the specific location designated by the department for harvest by the hatchery operator." However, given the Board's general authority over the allocation of fishery resources under AS 16.05.251 and its specific authority to amend hatchery permits by regulation under AS 16.05.440(b), it may, therefore, regulate the harvest of salmon or collection of eggs *after* salmon have returned to the location designated for harvest or egg collection in that manner.

<sup>10</sup> The legislature's use of the concept of "amending" permits by the adoption of Board regulation presents an unusual mixture of administrative law principles. We believe the legislature's use of the concept of amending a hatchery permit by regulation was not intended to vest the Board with administrative adjudicatory authority over permits. *See* AS 16.05.241 (the Board has rule-making authority, but does not have other administrative powers). Instead, we interpret the legislature's use of the term "amend" to allow the Board to adopt regulations that may *effectively* change or modify an existing permit by virtue of the change in regulatory setting created by appropriate Board regulation. *See also* AS 16.10.400(a) (commissioner-approved permits are "subject to the restrictions imposed by statute or regulation under AS 16.10.400-16.20.470").

<sup>11</sup> This view is supported by AS 16.10.400(a), which specifically provides that permits are subject to "restrictions imposed by . . . regulation under AS 16.20.400-16.10.470."

Finally, where a potential conflict or ambiguity exists, a statute that deals more specifically with a particular issue must govern over a more general statute. *Welch v. City of Valdez*, 821 P.2d 1354, 1363 (Alaska 1991).

Given (1) the detailed statutory scheme granting specific authority to the department over nearly every aspect of the permitting and operation of nonprofit hatcheries, (2) the more general statutory authority of the Board over the harvest of fishery resources, and (3) by contrast, the limitations imposed upon the specific statutory authority of the Board over hatchery permits by the amendment to AS 16.10.440(b) in 1979, we conclude the following. Though the Board may effectively amend hatchery permits by regulation in a manner that affects hatchery fish production, we do not believe the Board may either (1) adopt regulations that effectively veto or override a fundamental department policy decision regarding whether to authorize the operation of a particular hatchery or (2) adopt regulations preventing the department from exercising its authority to permit a hatchery operation. We believe that Board actions falling into either of these two categories would risk being viewed by a court as constructing an impermissible impediment to the department's role as the primary government agency responsible for the regulation of hatcheries. In particular, such actions would risk being deemed incompatible with the limitations imposed by the 1979 amendment to AS 16.05.440(b).

A recent decision by the Alaska Supreme Court supports this view. In *Peninsula Marketing Ass'n v. Rosier*, 890 P.2d 567, 573 (Alaska 1995), the court held that in absence of specific statutory authority for the commissioner to issue emergency orders concerning a question previously considered by the Board, the commissioner could not effectively veto a decision by the Board for which there was specific statutory authority. The court ruled that "[i]nferring a broad veto power would make superfluous the detailed provisions dividing power and authority within the Department" and effectively eviscerate the powers explicitly granted to the Board. *Id.* Similarly, to read the limited grant of authority to the Board over hatcheries set out in AS 16.10.440(b) to permit the Board to effectively veto fundamental policy decisions by the department for which there is specific statutory authority would upset the balance of the statutory scheme chosen by the legislature.

Additional reasons support that conclusion. As previously noted, the Board "may not adopt any regulations or take any action regarding the *issuance* or *denial* of any permits required under AS 16.10.400-16.10.470." AS 16.10.440(b) (emphasis added). We believe that a Board regulation that so drastically amends a hatchery permit to render the hatchery's operation impracticable might be viewed by a court to be an impermissible action by the Board "regarding the issuance or denial . . . of a permit." *See* AS 16.10.440(b). In

other words, a Board amendment that puts a hatchery out of operation might be construed as an effective revocation or denial of a hatchery permit, an action that is expressly prohibited by AS 16.10.440(b). Similarly, Board regulations prohibiting the establishment of a hatchery in a particular area deemed by a court as an action by the Board regarding the issuance of a permit and, therefore, unlawful under AS 16.10.440(b).<sup>12</sup>

One additional aspect of Board and department authority merits some discussion. AS 16.05.251(a)(9) specifically authorizes the Board to adopt regulations "prohibiting and regulating the live capture, possession, transport, or *release* of native or exotic fish or their eggs" (emphasis added). This statute must be read, if possible, to be harmonized with AS 16.10.420, the statute governing the department's authority to issue hatchery permits, and the limitation on Board authority with respect to Board "amendment" of hatchery permits set out in AS 16.10.440(b). See *Borg-Warner v. Avco Corp.*, 850 P.2d 628 (Alaska 1993). Although AS 16.10.420 requires the department to issue hatchery permits specifying that a hatchery may not place or release salmon eggs or fry in the waters of the state other than those provided in the permit, the statute does not directly conflict with the Board's authority over the release of fish set out in AS 16.05.251(a)(9). However, AS 16.10.440(b) does not specifically authorize the Board to adopt regulations that amend the terms of the permit governing the release of hatchery fish.

Currently, the Board has delegated its authority over the release of fish to the department commissioner by the adoption of 5 AAC 41. These regulations establish a process for the issuance of permits by the commissioner according to regulatory criteria for the release of fish. Accordingly, absent a repeal by the Board of this delegation of authority, there may not be significant potential for conflict between the Board and the department.

#### **D. Fisheries Enhancement Loan Program**

In 1977, the legislature created the fisheries enhancement revolving loan fund within the Department of Commerce and Economic Development for making loans to private, nonprofit hatchery permit holders and to regional associations for long-term, low-interest loans for the planning, construction, and operation of salmon hatcheries, and the

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<sup>12</sup> We realize that without additional clarification from the legislature the parameters of permissible Board regulations remain somewhat murky. However, we believe that the more significantly a particular Board regulation restricts the effective functioning of a hatchery in a way that is incompatible with a departmental decision to permit the hatchery's operation, the greater is the risk that the Board regulation may be invalidated by a reviewing court.

Dr. John White, Chair, Alaska Board of Fisheries  
The Honorable Frank Rue, Commissioner, Dept. of Fish & Game  
A.G. file no: 661-98-0127

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rehabilitation and enhancement of salmon fisheries. Sec. 9, ch. 154, SLA 1977; AS 16.10.500-16.10.500. The Commissioner of the Department of Commerce and Economic Development independently administers this loan program.<sup>13</sup> See AS 16.10.500-16.10.560.

The Commissioner of the Department of Commerce is authorized to make loans from the fisheries enhancement revolving loan fund to holders of private, nonprofit salmon hatchery permits issued by the Department of Fish and Game under AS 16.10.400-16.10.470. AS 16.10.505, 16.10.510. The commissioner may also make grants to qualified regional associations for "organizational and planning purposes." AS 16.10.510(9).

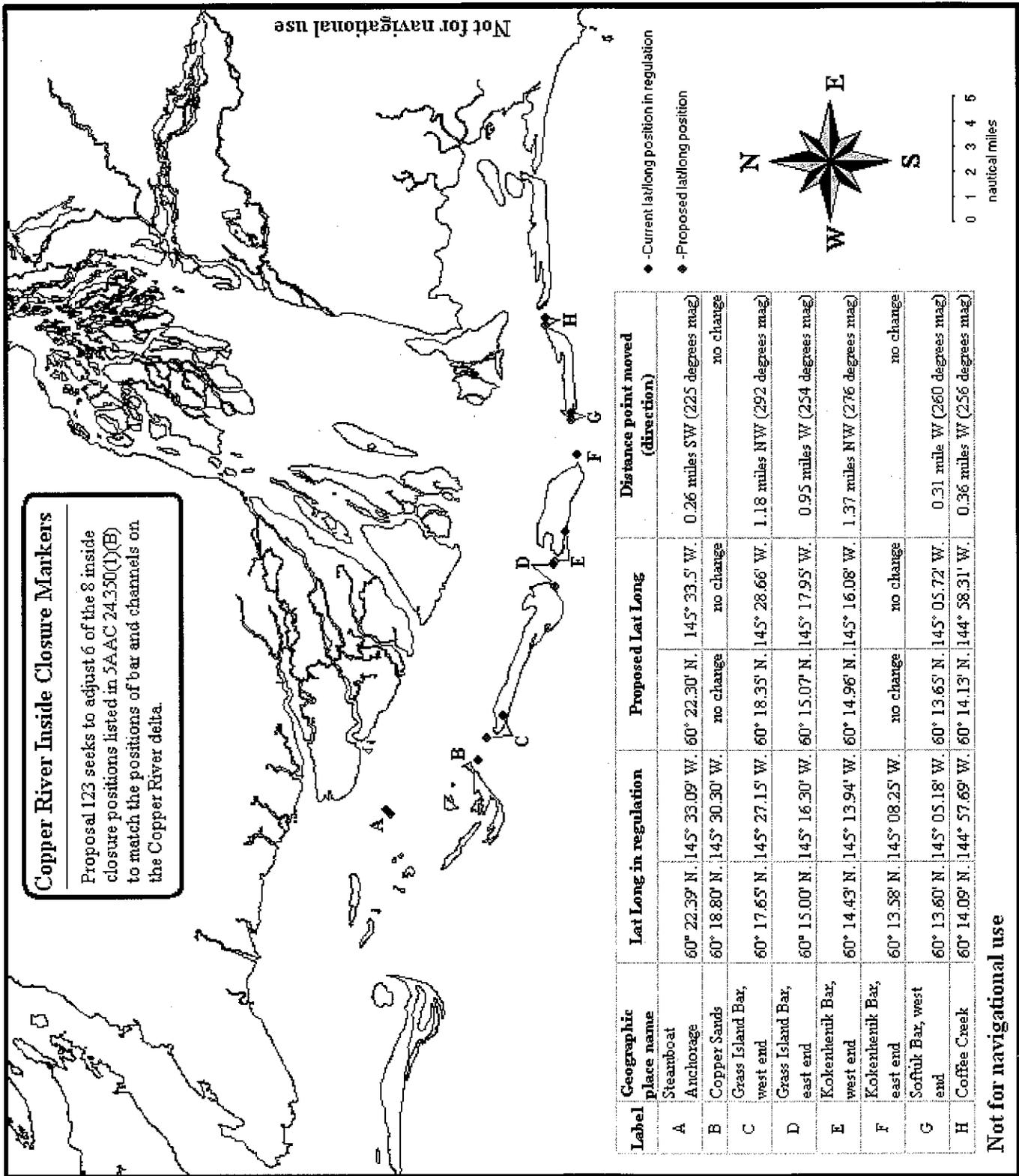
While this loan and grant program is administered independently from the Department of Fish and Game and the Board, only qualified regional associations and private, nonprofit hatchery permit holders are eligible to receive them. See AS 16.10.510-16.10.520.

#### **IV. Conclusion**

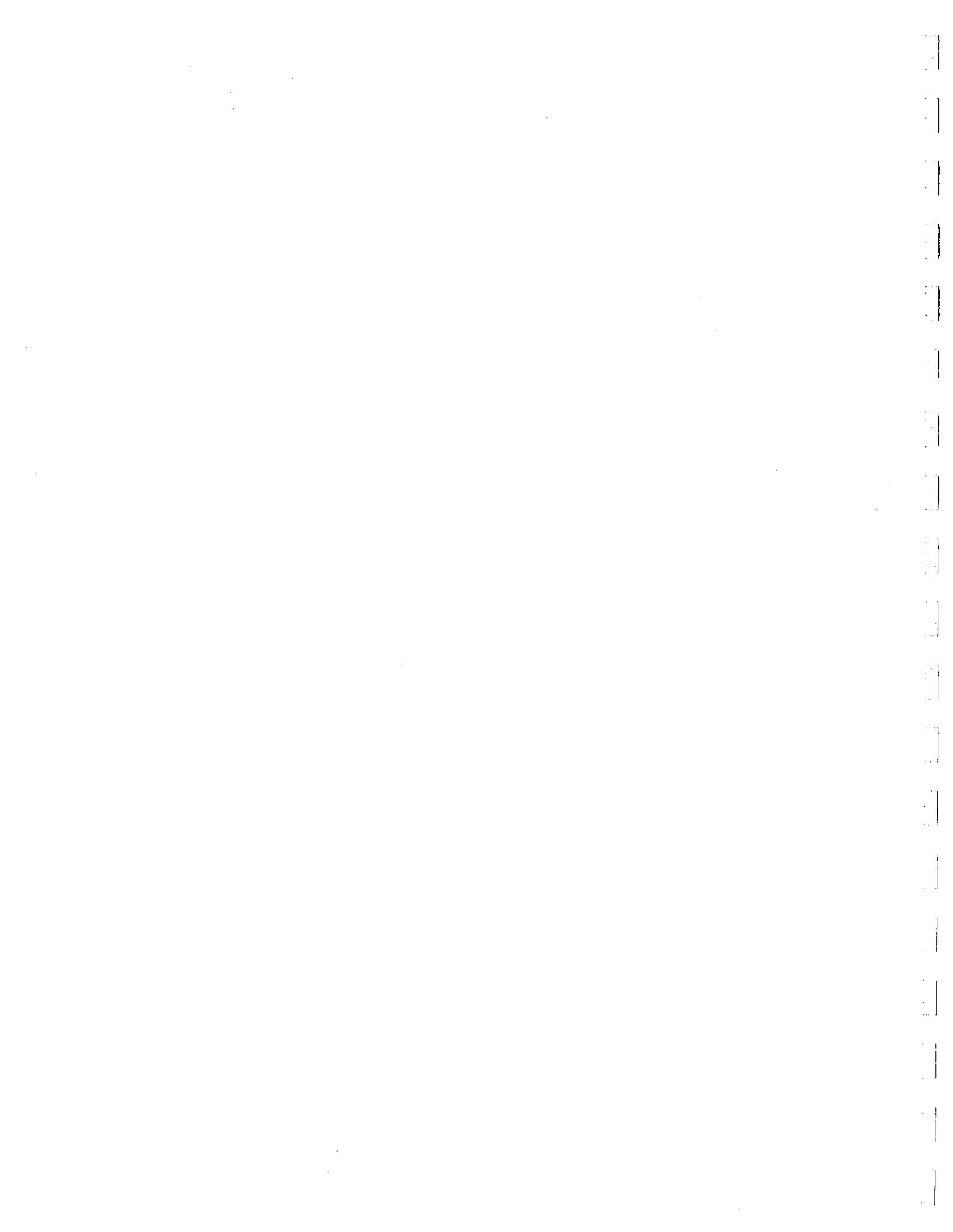
We hope this discussion provides answers to your questions. Please do not hesitate to contact us if we can provide additional assistance.

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<sup>13</sup> As the legislative history set out previously in this memorandum suggests, the broad rule-making authority under former AS 16.10.440 created uncertainty regarding whether the Board could, by adopting appropriate regulations, affect the requirement of hatcheries to report to the Department of Commerce and Economic Development under AS 16.10.470. The 1979 amendment to AS 16.10.440 clarifies that the Board may not regulate in this area.



Proposal 123- Copper River Inside Closure Marker position adjustment



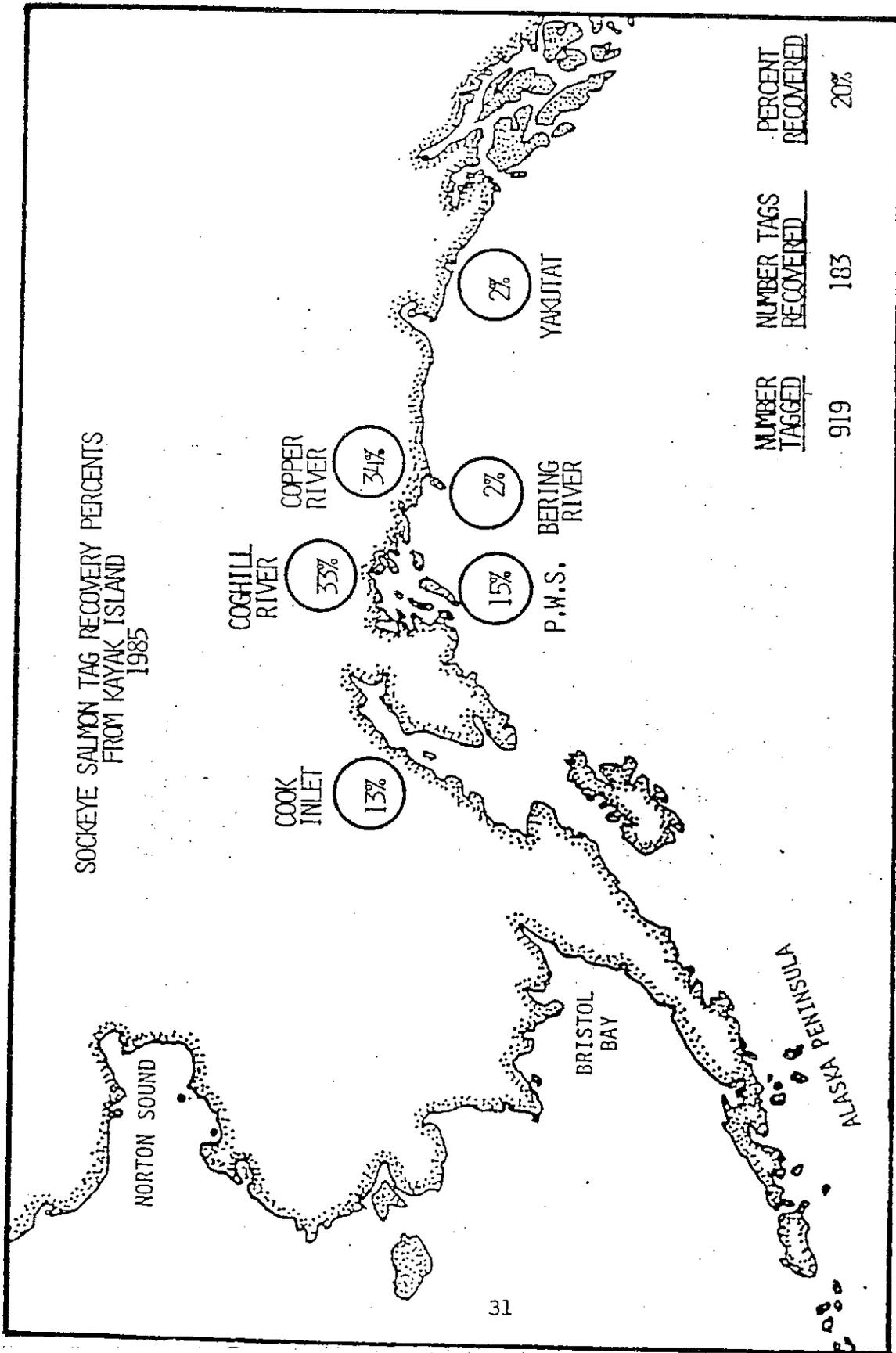
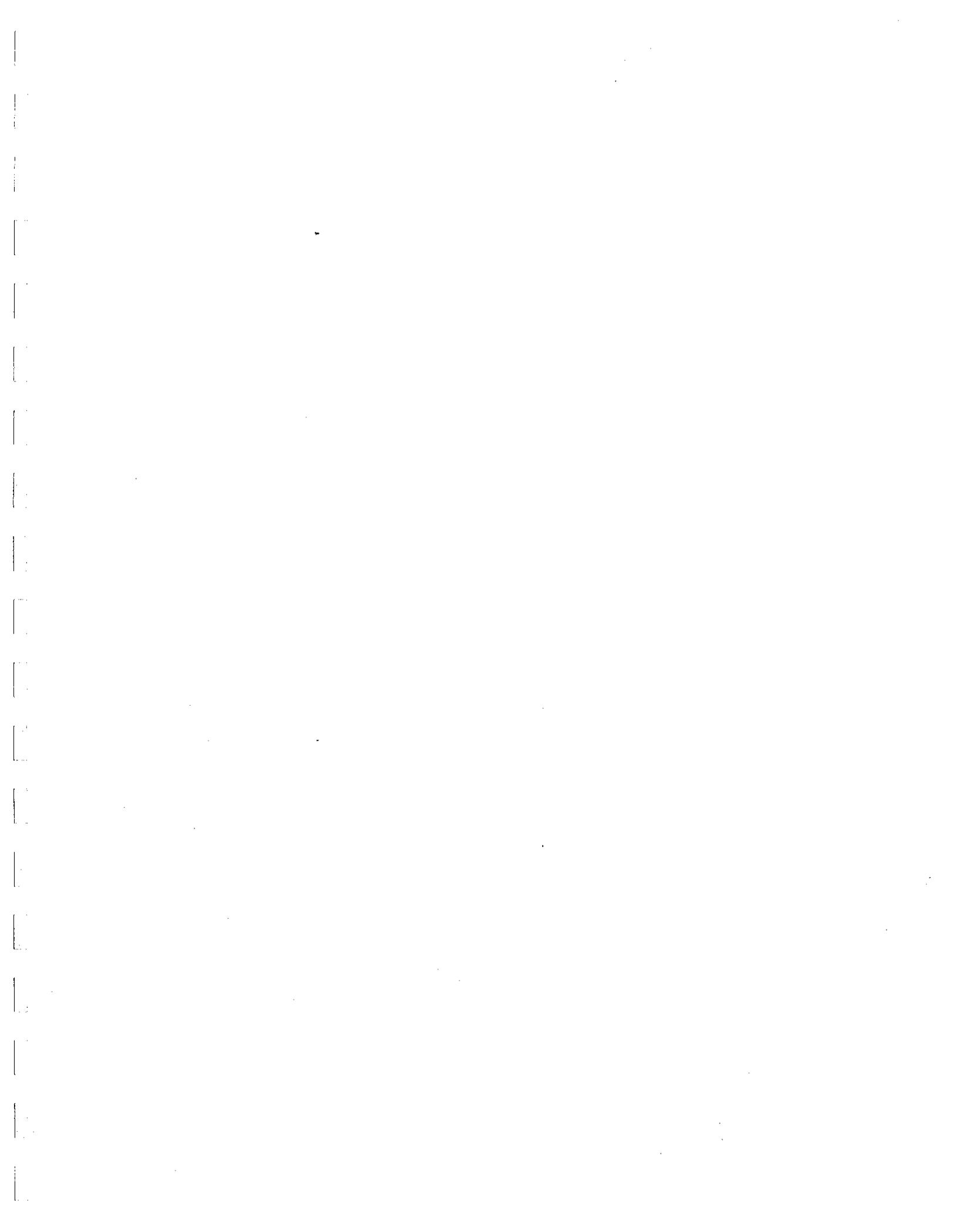


Figure 2. Tag recovery percentages for sockeye salmon by area of recovery, Kayak Island tagging program, 1985.

**Proposals #124 and #125- Opening south side of Kayak Island to commercial drift gillnet fishing.**

Results from 1985 mark recapture of sockeye salmon caught in the Kayak Island Subdistrict showing where marked salmon were harvested commercially. This was submitted for the 1996 AK BOF meeting to address proposal 67 that was similar to proposals 124 and 125.



~~PROPOSAL 67:~~

Refer to  
1996 proposal  
64

**SALMON TAGGING PROGRAM, 1985.**

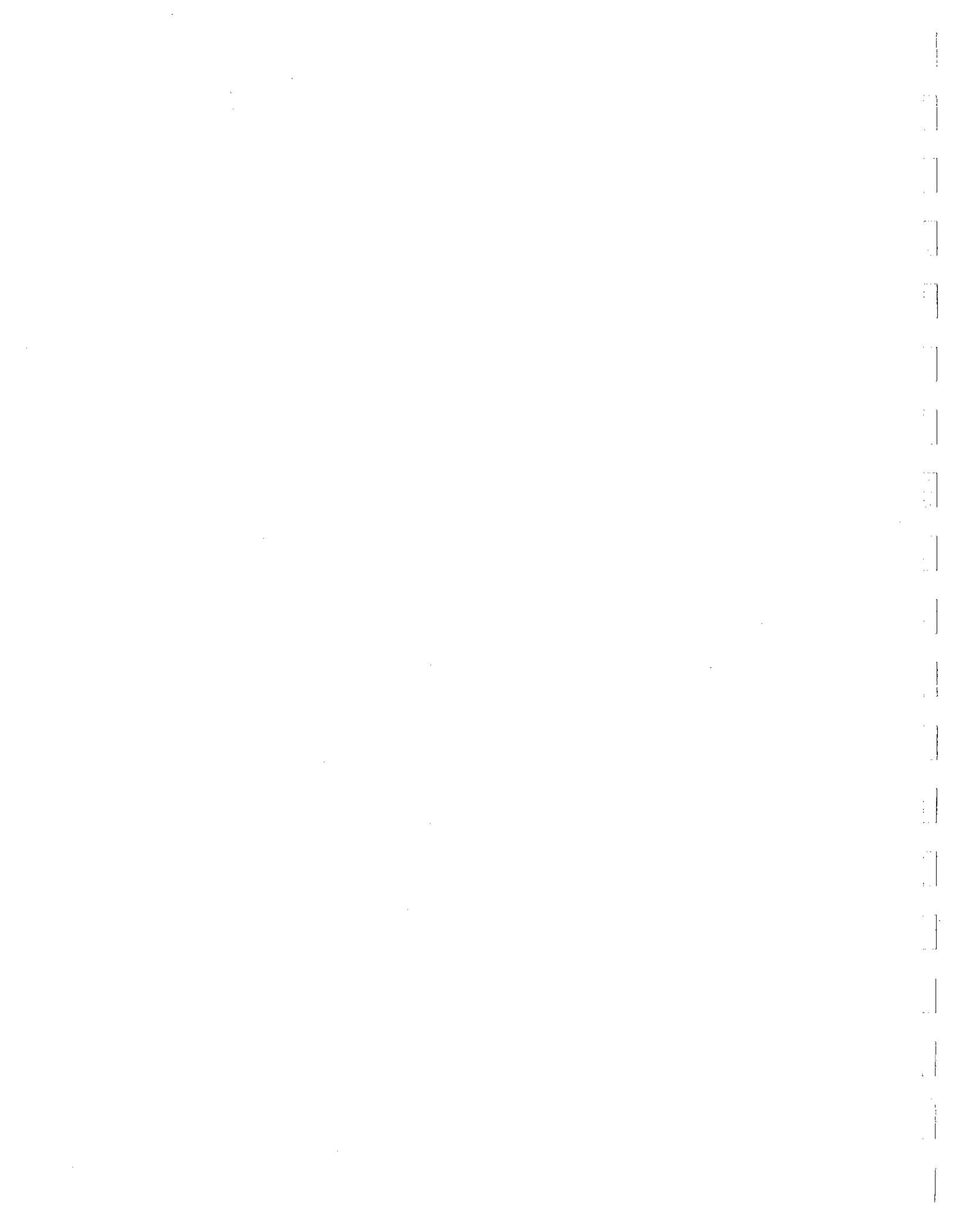
**919 SOCKEYE TAGGED  
(JUNE 15 TO JULY 9)**

**181 SOCKEYE RECOVERED**

3	YAKUTAT
4	BERING RIVER
62	COPPER RIVER
28	PWS SYSTEMS
60	COGHILL
24	COOK INLET

**Proposals #124 and #125- Opening south side of Kayak Island to commercial drift gillnet fishing.**

Results from 1985 mark recapture of sockeye salmon caught in the Kayak Island Subdistrict showing where marked salmon were harvested commercially. This was submitted for the 1996 AK BOF meeting to address proposal 67 that was similar to proposals 124 and 125.



**ALASKA BOARD OF FISHERIES****FINDINGS REGARDING SALMON FISHERIES MANAGEMENT  
PLANS FOR THE COPPER RIVER DISTRICT AND DRAINAGES  
ADOPTED AT THE DECEMBER 1996 BOARD MEETING**

During its meeting in Cordova, Alaska in December, 1996, the Alaska Board of Fisheries (board), after having received reports, both oral and written, from the Alaska Department of Fish and Game (department) staff and having received testimony, both oral and written, from members of the public and advisory committees, discussed and then adopted several management plans for the Copper River drainages. These management plans involve sport, guided sport, commercial and personal use. The plans considered were as follows:

- 1) Copper River District Salmon Management Plan, 5 AAC 24.360. The umbrella plan.
- 2) Copper River District Personal Use Salmon Management Plan 5 AAC 77.590. A step down plan.
- 3) Copper River Chinook Salmon Management Plan. 5 AAC 24.361. A step down plan.

Initially, to assist in organizing the work of such a broad range of topics, the board created "captains" from among its membership for the purpose of investigating all of the salient facts associated with each plan, organizing the discussion in a cogent manner, and then presenting an action plan to the whole board. This was accomplished by two board members who presented an outline as to an approach to the problems of salmon management from the marine fishery through to the spawning grounds. That working outline is contained in RC 104, as amended during board discussion, which is incorporated by reference into these findings.

Following the outline set forth in RC 104, the board held lengthy discussions with staff and among its members, and reviewed many reports and other information from the staff and the public. As is its custom, the various board members also met with members of the public during the course of deliberations to obtain the public's views on these plans. The issues considered included, the sockeye and chinook salmon biological escapement goals (BEGs), run strengths for both chinook and sockeye salmon over several years, the inriver goal for both fisheries including the effect of the board's subsistence needs determination made earlier in the meeting, the personal use fishery and the number of fish to be provided to that fishery, the sport and commercial chinook salmon fisheries and, as to all of these fisheries, whether or not there are any conservation concerns relative to both the chinook and the sockeye salmon fisheries.

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Recent years have seen record runs of sockeye salmon. In 1996 for example, more sockeye salmon were harvested in the commercial fishery than at any time in history. All of the 1990s have seen strong runs and excellent commercial harvests in the sockeye salmon fishery. This is a fortunate fact for Cordova with the failures in the herring fishery and the fall in pink and chum salmon prices. It was very apparent to the board that commercial fishing is of vital importance to the economy of Cordova.

As to the sockeye salmon run, for an inseason management tool, the department uses the Miles Lake sonar counter to determine run strength. This sonar effectively counts sockeye salmon. However, the sonar does not adequately count chinook salmon. Thus, the department has information about the run strength of the sockeye salmon, but not of the chinook salmon.

Relative to the conservation concern questions about chinook salmon, the board found that there was a substantial lack of good data on which to reach a firm conclusion. As noted, the sonar at Miles Lake does not count chinook salmon. Instead, the department has been relying on an aerial inseason count of spawning chinook in nine (9) index streams in the upper Copper River drainage.

There are forty known anadromous streams in which chinook salmon spawn. Many of these streams are glacier fed, so it is impossible to determine the number of chinook spawners by aerial survey in these streams. The department uses nine clear streams to build an index of run strength. The department has conducted aerial surveys in past years to count chinook salmon in these index streams. In 1995 there was no survey conducted. In three years in the early 1990s no aerial surveys were conducted. In many of the years when aerial surveys were conducted, the surveys were taken during periods outside of the peak of the run. In the last twenty-three years, fifteen of the years saw aerial surveys where many of the index streams were surveyed outside of the peak period. In eight of the last twenty-three years, surveys were taken during peak periods.

Over the past two years there have been record harvests of chinook salmon by the commercial drift gillnet fleet. However, there is no data on run strength so it is unknown if there is simply an increase in harvest on a stable run or an increase in harvest based upon an increase in run strength. There have also been record harvests of sockeye salmon for which there is run strength data. However, it is not known what, if any, correlation exists between the strength of the chinook salmon runs and the strength of the sockeye salmon runs.

In the personal use fishery there has also been an increase in chinook salmon harvest in recent years. However, in this fishery, the practice of dip netting from boats has increased. Most chinook salmon harvested in the personal use dip net fishery have been harvested by people dip netting from boats, although there are some chinook harvested by shore based dip netters.

In the sport fishery, there has been an increase in guided-sport fishing of some substantial significance. Again, exact data is not available. The department states that there are

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approximately 13 guides on the Gulkana River. Anecdotal evidence was presented to the board indicating that there may be as many as fifty guides operating in the area. In any event, it is clear that guided activity has increased substantially.

Information was also presented to the board as to the relative efficiency of the guided-sport fishery when compared to the unguided-sport fishery. While the guided fishery comprises between 20 and 40 percent of the fishery, the guided fishery harvest is between 40 and 60 percent of the catch. The reasons for this are obvious. The guides are on the rivers daily and know where the fish are to be found as well as what can best be used to catch the fish. The guided-sport fishery operates seven days a week twenty four hours a day.

In the unguided-sport fishery, the harvest has increased in the 1990s as it has in all of the fisheries. Again, this harvest is seven days a week, twenty four hours a day. Also, in this fishery there has been continual and increasing pressure on the spawning grounds which has resulted in some actual conservation concerns on some drainages, specifically, the Tonsina River and its drainages. Thus, the department has recommended the closure of the salmon grounds to fishing as well as certain method and means restrictions in some areas.

The Sport Fisheries Division of the department stated its vision for this drainage. Essentially, that vision is to eliminate fishing on the spawning grounds, confining fishing to the main stem of each system. It has followed this vision in the past with previous stream closings and that pattern will continue under the Department proposals presented to this Board at this meeting.

There was one solid piece of evidence as to chinook salmon escapement in 1996. The department operated a weir on the Gulkana River to count chinook salmon escapement. There was a count of over 11,000 at this weir which is indicative of a very good run, at least on that portion of the Copper River. In 1997 and beyond the department will conduct a coded-wire tagging study and, when the tagged fish are returning, the department will again operate the weir to recover some of these fish. This project, along with the continuing and regular aerial surveys to be conducted by the department, will provide a better data base on which to determine relative run strength of chinook salmon in the Copper River drainages with the ultimate goal being to establish BEGs for all of the index streams. It is anticipated that the coded-wire tagging study will take six years to complete.

The other data for the rest of the index streams in the drainage for 1996 were based on the aerial surveys. These index streams indicate a good escapement. However, the use of the index streams is based on certain assumptions which, while probably valid over time, lose a substantial amount of validity when there is not a continuous season to season accumulation of good data to support the assumptions. As noted, there is a substantial lack of good data on chinook salmon.

Because of the absence of good data relative to chinook salmon spawning escapement, no firm conclusions can be reached as to the run strength and, thus, no firm conclusions can be reached as to whether or not there are any conservation concerns. While it is true that the

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existing data does not indicate a drainagewide conservation concern department. When the absence of data is coupled with increasing harvests of chinook salmon in all fisheries, a conservative management approach is called for.

The lack of data and the increasing harvests, led the board into a discussion of the "insurance policy" concept. This concept holds that when there is poor information on run strength and escapement and when fishing pressures and harvests increase, the board should decrease the harvest potential of all fisheries in order to protect the resource. It should be clear here, that the board did not find that there were conservation concerns in the drainage, only that the lack of good data could not provide the basis for a conclusion of either adequate run strength or conservation concern. Neither the board nor the department is sure about what is happening in this fishery.

Given these facts, the board took the following actions in the various sockeye salmon fisheries:

- 1) Established the umbrella plan, the Copper River District Salmon Management Plan, 5 AAC 24.360 which established an inriver goal of 300,000 sockeye salmon. In addition, the inriver goal is to include 17,500 other salmon to account for chinook salmon including the 5% reduction in the commercial harvest, 60,000 to 75,000 for subsistence, 100,000 for personal use purposes, 15,000 for sport harvest and an annually determined amount for the hatchery return including those sockeye salmon needed for the program as well as excess hatchery sockeye salmon.

- 2) Established a step down plan for the personal use fishery, the Copper River District Personal Use Salmon Management Plan 5 AAC 77.590.

Prior to taking these actions adopting these plans, the board discussed and applied its allocation criteria.

The board also took the following actions in the various chinook salmon fisheries and adopted the Copper River Chinook Salmon Management Plan. 5 AAC 24.361:

- 1) In the commercial fishery, the harvest potential was reduced by five percent (5%). This reduction was in the form of instructions to department staff to implement time and area restrictions in the first two weeks of the fishery to put more chinook salmon into the Copper River. Since there is no way to measure the results of these actions (the board is assuming that the time and area restrictions will put more chinook salmon in the river), the board instructed the department to take some time and area actions each and every year while this plan is in effect.

- 2) In the personal use fishery, the harvest potential was reduced by five percent (5%) by reducing the bag and possession limit from five to four chinook salmon.

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3) In the sport fishery, the harvest potential was reduced by five percent (5%) by closing all drainages to guided fishing on Tuesdays. The guided-sport fishery was targeted because of its greater harvest potential, its exponential growth and the other conservation actions taken by the board relative to the unguided-sport fishery.

Again, prior to adopting these actions and this plan, the board discussed and applied its allocation criteria.

The board determined that by adopting these various management plans, it would provide a conservative plan of management for all of the chinook salmon fisheries while allowing the department to gather information upon which good decisions can be made by future boards. In this regard, the board is determined and the department has assured the board that the aerial surveys, the coded-wire tagging and the Gulkana weir project will be continued so that the essential data can be gathered for good management decision making. Based on these assurances and the promise of better data, the board included a sunset provision in the plans which have reduced the harvest potential by five percent (5%) in the commercial, sport and personal use chinook salmon fisheries.

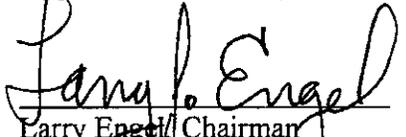
The board further directed the department to form a work group of inriver (subsistence, personal use, sport, and guided-sport) fishers and ocean (commercial) fishers with the stated purpose being to determine what resources are available for data collection and how those resources can best be spent so that the board will have accurate data on the chinook salmon. The department shall report to the board at its October 1997 work session as to the formation of this work group.

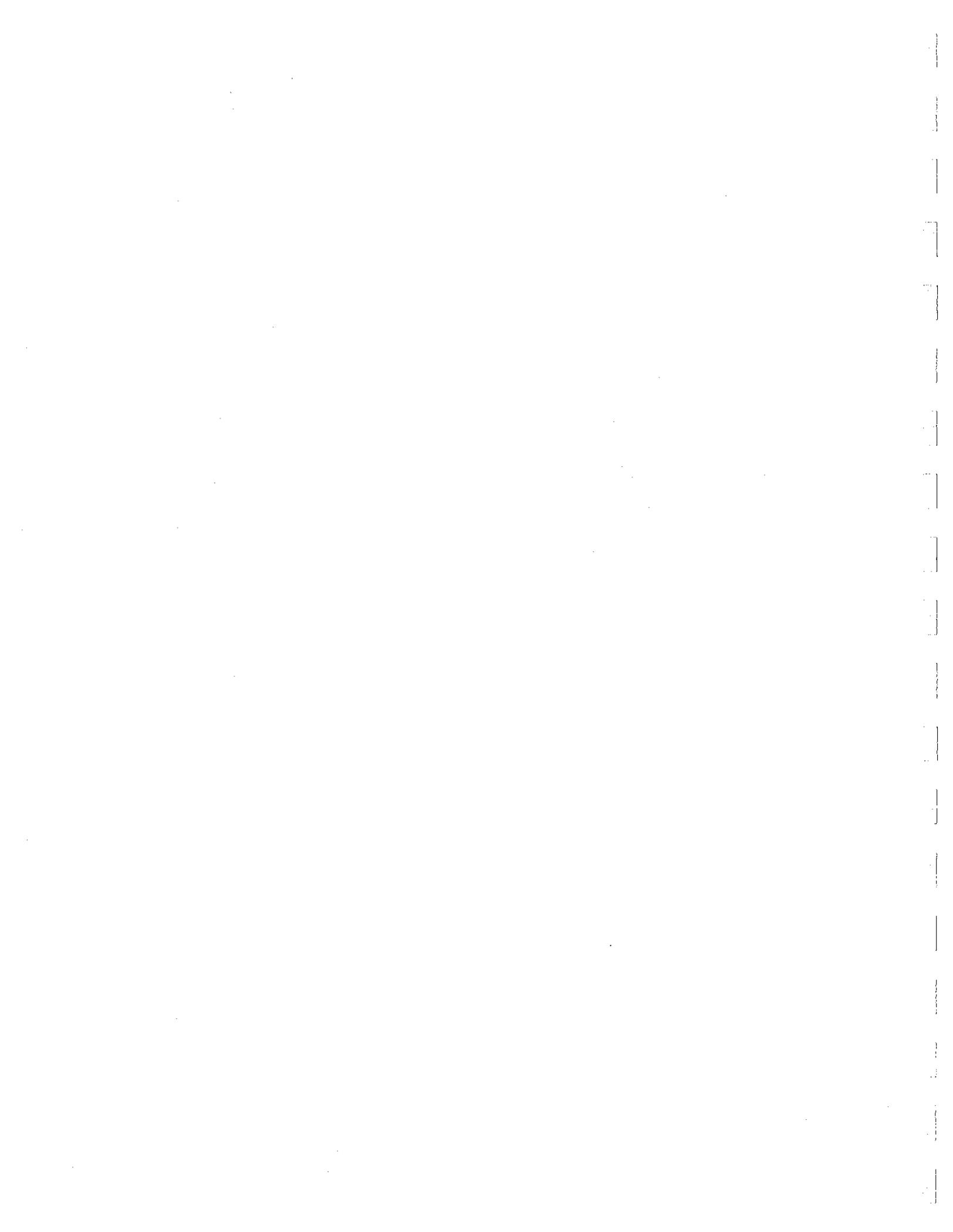
**Other Board Actions:**

Independent of the "insurance policy", staff recommended other conservation measures in the sport fishery to maintain the likelihood of adequate escapements in the future. Additional conservation measures were taken throughout the sport fishery to prohibit sport fishing for chinook salmon in small streams throughout the Copper River drainage and to prohibit sport fishing for chinook salmon after the onset of spawning. Also, harvest potential in the Tonsina River sport fishery was reduced by 50% in direct response to chronic inability to meet spawning escapement objectives during the 1990s in the face of a rapidly expanding sport fishery in the Tonsina River. These staff recommendations were consistent with allocative strategy and poor knowledge of stock composition in the mixed stock fisheries.

At Sitka, Alaska - Date: January 29, 1997

Approved: 6/0/0/1 (Yes/No/Absent/Abstain)

  
Larry Engel, Chairman  
Alaska Board of Fisheries



**SUMMARY OF ACTIONS**  
**ALASKA BOARD OF FISHERIES**  
**Prince William Sound and Upper Copper River Finfish**  
**Cordova, Alaska**  
**January 31 – February 6, 2003**

DESIGNATED REPORTERS: Sherry Wright and Justin Crawford

*This summary of actions is for information purposes only and is not intended to detail, reflect or fully interpret the reasons for the board's actions.*

**PROPOSAL NO. 1**

**ACTION: Carried as amended**

**DESCRIPTION:** Adopt a two-week season and a harvest allocation scheme using an equal quota share approach for Prince William Sound sablefish.

**AMENDMENTS:** Change season to March 15 - May 15 and August 1 - August 21. Commercial Fishing Entry Commission permit holder may not take more than the sum of one half of the annual harvest objective divided by the number of permit holders register for the fishery, and one half of the annual harvest objective multiplied by the average percentage of the harvest taken by vessel size class for which the permit was issued and divided by the number of permit holders register for that vessel size class.

**DISCUSSION:** The board stated that conservation concerns for lost gear and unaccounted bycatch could both impact sablefish resource and spill over to other issues such as marine protected areas or closure areas. The board indicated preference for longer seasons in order to maximize benefits from any reduced harvest ability under a quota system. The department addressed the incentive for permit holders to fish together to fill quotas and combine catches to reduce costs. The board further referenced consent reached among stakeholders concerning the quota share.

**PROPOSAL NO. 2**

**ACTION: No action**

**DESCRIPTION:** Change fishing times, permit usage, preregistration requirement and vessel size.

**DISCUSSION:** The board took no action on the proposal due to action taken on proposal 1.

**PROPOSAL NO. 3**

**ACTION: No action**

**DESCRIPTION:** Open the sablefish fishery on the first Monday in May.

**DISCUSSION:** The board took no action on the proposal due to action taken on proposal 1.

**PROPOSAL NO. 4**

**ACTION: No action**

**DESCRIPTION:** Impose gear limits for groundfish.

**DISCUSSION:** The board took no action on the proposal due to action taken on proposal 1.

**PROPOSAL NO. 5**

**ACTION: No action**

**DESCRIPTION:** Create methods to reduce excessive squid bycatch.

**DISCUSSION:** The board took no action on the proposal to honor a request by the sponsor that the proposal be withdrawn.

**PROPOSAL NO. 6**

**ACTION: No action**

**DESCRIPTION:** Change the pollock fishery to a limited entry fishery.

**DISCUSSION:** The board took no action on the proposal to honor a request by the sponsor that the proposal be withdrawn.

**PROPOSAL NO. 7**

**ACTION: No action**

**DESCRIPTION:** Adopt a mesh restriction for nontarget species.

**DISCUSSION:** The board took no action on the proposal to honor a request by the sponsor that the proposal be withdrawn.

**PROPOSAL NO. 8**

**ACTION: Failed**

**DESCRIPTION:** Change mesh size and number of boats to limit bycatch.

**DISCUSSION:** The department expressed concern that changing the mesh size would cause an unknown mortality of catch. The board supported a management approach based on inseason management authority to set allowable bycatch and their ability to monitor fishery bycatch via staff observers.

**PROPOSAL NO. 9**

**ACTION: Carried as amended**

**DESCRIPTION:** Close the pelagic trawl fishery on March 31.

**AMENDMENT:** Pollock may be taken from 12:00 noon January 20 until March 31 unless closed by emergency order.

**DISCUSSION:** The department indicated need for a regulatory closure date for the PWS pollock fishery and cited concerns for herring bycatch after March 31. Board members expressed concern over the potential increases for bycatch of nontarget species.

**PROPOSAL NO. 10**

**ACTION: Carried**

**DESCRIPTION:** Lower guideline harvest level (GHL) of Pacific cod and provide mechanism for increased GHL as harvest grows.

**DISCUSSION:** The department reported that this fishery has not achieved allocation in recent years. The board indicated an interest in maintaining fishing opportunity by establishing the GHL at a harvest level that is more consistent with local stock abundance.

**PROPOSAL NO. 11**

**ACTION: Failed**

**DESCRIPTION:** Modify exclusive registration regulation for the Pacific cod fishery.

**DISCUSSION:** The department supported maintaining an individual area registration. The Board expressed opposition to the proposal based on the protection that an exclusive area registration afforded the local fleet.

**PROPOSAL NO. 12**

**ACTION: Carried**

**DESCRIPTION:** Allow closure of lingcod fishery for biological sampling purposes; require that fish be delivered with head on.

**DISCUSSION:** The board recognized that this proposal would allow the department to gather pertinent data on the lingcod fishery and ultimately improve management capabilities.

**PROPOSAL NO. 13**

**ACTION: No action**

**DESCRIPTION:** Designate essential fish habitat in PWS.

**DISCUSSION:** The board took no action on the proposal because the topic of marine protected areas is scheduled to be heard during the March 2003 meeting.

**PROPOSAL NO. 14**

**ACTION: Carried**

**DESCRIPTION:** Clarify miscellaneous groundfish available for retention by a permit holder.

**DISCUSSION:** The board considered this proposal as housekeeping in nature and agreed this proposal clarifies regulations concerning the take of groundfish.

**PROPOSAL NO. 15**

**ACTION: No action**

**DESCRIPTION:** Establish a local area management plan for registration Area E.

**DISCUSSION:** The board took no action on the proposal after determining that the proposal did not meet the requirements set forth in the LAMP protocol established by the board and North Pacific Fishery Management Council.

**PROPOSAL NO. 16**

**ACTION: No action**

**DESCRIPTION:** Establish a local area management plan for registration Area E.

**DISCUSSION:** The board took no action on the proposal after determining that the proposal did not meet the requirements set forth in the LAMP protocol established by the board and North Pacific Fishery Management Council.

**PROPOSAL NO. 17**

**ACTION: No action**

**DESCRIPTION:** Establish a local area management plan for registration Area E.

**DISCUSSION:** The board took no action on the proposal after determining that the proposal did not meet the requirements set forth in the LAMP protocol established by the board and North Pacific Fishery Management Council.

**PROPOSAL NO. 18**

**ACTION: Failed**

**DESCRIPTION:** Allow archery as a legal method of sport harvest for sharks in Prince William Sound.

**DISCUSSION:** The board expressed concerns over the potential inadequately of archery gear to harvest salmon sharks without a high incidence of waste.

**PROPOSAL NO. 19**

**ACTION: Failed**

**DESCRIPTION:** Close the eulachon (smelt) test fishery of 200 tons to conserve the resource.

**DISCUSSION:** Department staff reported that the smelt fishery is currently healthy and not experiencing discernable problems. The board noted a substantial harvestable surplus of smelt in the Copper River additionally citing the conservative structure of the current management plan. Board members further supported the intent of the test fishery.

**PROPOSAL NO. 20**

**ACTION: Carried**

**DESCRIPTION:** Repeal closed waters to herring to prevent the displacement of historic fisheries.

**DISCUSSION:** The department explained the intent to cooperate with local fishermen to provide subsistence opportunities by limiting the commercial spawn-on-kelp fishery in the area. The board determined that reasonable opportunity for subsistence fishing would be maintained and further indicated other areas are available to local fishermen.

**PROPOSAL NO. 21**

**ACTION: Carried as amended**

**DESCRIPTION:** Adjust the allocation of spawn-on-kelp to ensure allocation is harvestable for all permits that register.

**AMENDMENT:** The amount of herring allocated to each permit holder will be based on total number of permit holders whether or not they participate in the fishery.

**DISCUSSION:** The department expressed concern that increasing the herring allocation could lead to crowding in herring closed pounds. The board supported the intent to divide the allocation of herring and kelp among active fishermen in addition to more accurately allocating the resource among users.

**PROPOSAL NO. 22**

**ACTION: No action**

**DESCRIPTION:** Open all Copper River fisheries simultaneously.

**DISCUSSION:** The department noted the harvest potential on early run stocks. The board took no action on the proposal due to action taken on proposal 42.

**PROPOSAL NO. 23**

**ACTION: No action**

**DESCRIPTION:** Allow for seven days per week fishing from May 15-October 31.

**DISCUSSION:** Board concern centered on balancing the need to provide Tatitlek and Chenega Bay users with reasonable opportunity with the need for protection of small stocks. The department agreed to work with the residents of Tatitlek and Chenega Bay residents in developing regulations that can be implemented by emergency order including time, area, gear and harvest limits for a subsistence salmon fishery.

**PROPOSAL NO. 24**

**ACTION: No action**

**DESCRIPTION:** Allow subsistence fishing within waters closed to commercial fishing.

**DISCUSSION:** The board took no action on the proposal due to action taken on proposal 23.

**PROPOSAL NO. 25**

**ACTION: Failed**

**DESCRIPTION:** Restrict fishwheels season for Glennallen district to early June.

**DISCUSSION:** The board rejected this proposal because it lacked support by the public.

**PROPOSAL NO. 26**

**ACTION: No action**

**DESCRIPTION:** Extend the boundary for Chitina Subdistrict to Uranatina River.

**DISCUSSION:** The department noted an absence of documentation on subsistence use in the proposed area. Trespass and enforcement issues were considered. The board took no action on the proposal due to action taken on proposal 42.

**PROPOSAL NO. 27**

**ACTION: Carried as amended**

**DESCRIPTION:** Rainbow trout/steelhead taken incidentally by fishwheels may be retained; those taken by dipnet may not be retained.

**AMENDMENT:** The board applied a subsistence marking requirement.

**DISCUSSION:** The board considered this a housekeeping proposal. The board expressed concern over mortality of fish released from fishwheels and added the marking requirement to further match federal regulations.

**PROPOSAL NO. 28**

**ACTION: Carried as amended**

**DESCRIPTION:** Define fishing site for dipnet fishers.

**AMENDMENTS:** Permit holder shall record all harvested fish on the subsistence permit, in ink, immediately upon harvesting the fish; for the purpose of this paragraph, "immediately" means before concealing the salmon from plain view or transporting the salmon from the fishing site. "Fishing site" means the location where the fish was removed from the water and became part of the permit holders bag limit.

**DISCUSSION:** Department of Public Safety stated that the proposal will enable better enforcement of the regulation and that this proposal clarifies the regulation. The board specified that the amendment apply to both the subsistence fishery in the Glennallen Subdistrict and the personal use fishery in the Chitina Subdistrict.

**PROPOSAL NO. 29**

**ACTION: Carried as amended**

**DESCRIPTION:** Require identification of owner/operator of a fishwheel by number only.

**AMENDMENTS:** Amended for an ADF&G registration number for the fish wheel. Owner may use a permanent ID number, which must be a valid Alaska driver's license number or Alaska state identification card number on a wood, metal, or plastic plate at least 12 inches high by 12 inches wide bearing letters or numerals at least one inch high. Allows nonowner permit holder to also use a plastic signage on the fish wheel.

**DISCUSSION:** Department of Public Safety noted problems arise when multiple permit holders use the same wheel and protection officers are unable to know who is registered for that wheel. Board concern centered around balancing what was needed for enforcement and privacy needs of the users.

**PROPOSAL NO. 30**

**ACTION: No action**

**DESCRIPTION:** Restrict webbing for a dipnet to exclude gillnet material.

**DISCUSSION:** The board took no action on the proposal to honor a request by the sponsor that the proposal be withdrawn.

**PROPOSAL NO. 31**

**ACTION: Carried as amended**

**DESCRIPTION:** Repeal the marking requirement for subsistence-caught salmon.

**AMENDMENTS:** Add the following to 5 AAC 01.640: for the purpose of this paragraph, "immediately" means before concealing the salmon from plain view or transporting the salmon from the fishing site; "fishing site" is defined as the location where the fish was removed from the water and becomes part of the permit holders bag limit.

**DISCUSSION:** The board specified that the amendment apply to both the subsistence fishery in the Glennallen Subdistrict and the personal use fishery in the Chitina Subdistrict. Discussion centered on the use of the caudal fin or ventral fin for the marking requirement.

**PROPOSAL NO. 32**

**ACTION: No action**

**DESCRIPTION:** Permit fishwheels to be used within the Chitina Subdistrict.

**DISCUSSION:** The board considered historical uses, conservation concerns. The board took no action on the proposal due to action taken on proposal 42.

**PROPOSAL NO. 33**

**ACTION: Carried**

**DESCRIPTION:** Remove reference to Chitina permit issuing station.

**DISCUSSION:** The board noted that because the department no longer issues permits from this station, there is no reason for this reference to be in regulation.

**PROPOSAL NO. 34**

**ACTION: No action**

**DESCRIPTION:** Definition of fishing site and recording of catch in Chitina Subdistrict.

**DISCUSSION:** The board took no action on the proposal due to action taken on proposal 28.

**PROPOSAL NO. 35**

**ACTION: Failed**

**DESCRIPTION:** Align limits per household between Chitina and Glennallen subdistricts.

**DISCUSSION:** The Department of Law identified the need to review of the amounts necessary for subsistence before changing harvest limits. Board consideration was given to the harvest potential of giving 10,000 permit holders 500 fish each. They noted the supplemental permit system already allows for Chitina Subdistrict users opportunity for additional harvests.

**PROPOSAL NO. 36**

**ACTION: Failed**

**DESCRIPTION:** Define the amount of salmon allowed per household during supplemental fishing periods.

**DISCUSSION:** The board discussed allowing emergency order authority for up to 30 fish if justified on a biological basis. They also considered the potential increase in harvest potential.

**PROPOSAL NO. 37**

**ACTION: No action**

**DESCRIPTION:** Require fishing permits be returned to a department area office by a specified time.

**DISCUSSION:** The department noted the information collected is not used for inseason management. Board authority over department procedures was also discussed. The value of timely and accurate reporting was recognized, but the estimates obtained under the new system were found adequate. The board took no action on the proposal due to action taken on proposal 42.

**PROPOSAL NO. 38**

**ACTION: No action**

**DESCRIPTION:** Reevaluate household limits for all Copper River subsistence salmon fisheries.

**DISCUSSION:** The board took no action on the proposal due to action taken on proposal 35.

**PROPOSAL NO. 39**

**ACTION: No action**

**DESCRIPTION:** Reduce annual limits for household and individual permit holders within Glennallen Subdistrict.

**DISCUSSION:** The board took no action on the proposal to honor a request by the sponsor that the proposal be withdrawn.

**PROPOSAL NO. 40**

**ACTION: No action**

**DESCRIPTION:** Amend the annual limits of chinook salmon within the Chitina Subdistrict.

**DISCUSSION:** The board noted a previous finding did not include a five chinook salmon limit. The board took no action on the proposal due to action taken on proposal A.

**PROPOSAL NO. 41**

**ACTION: No action**

**DESCRIPTION:** Reduce annual limits for household and individual permit holders within Glennallen Subdistrict.

**DISCUSSION:** The board took no action on the proposal due to action taken on duplicate proposal 39.

**PROPOSAL NO. 42**

**ACTION: Carried**

**DESCRIPTION:** Repeal the positive customary and traditional use determination for salmon within the Chitina Subdistrict.

**DISCUSSION:** The board did not find that there was a legal or factual error made in the 1999 board finding, but it did find that there was new significant information that would influence the application of the eight criteria. Once the new significant information finding was on the record, the board reviewed a new customary and traditional worksheet prepared by the department, with new information from the 2000 survey of the Glennallen and Chitina subdistricts subsistence fishery participants. The board discussed and considered each of the eight criteria. The board found that criterion 8 (reliance on a wide diversity of resources), and to some extent, 1 (long-term use pattern) and 6 (inter-generational transfer of knowledge) were not met in the current pattern of use in the Chitina Subdistrict dipnet fishery and voted to repeal the positive customary and traditional finding.

Because the effect of this action placed the Chitina dipnet fishery into the personal use category, the board addressed the personal use allocation and bag limit in proposal A. Under

Summary of Actions, Board of Fisheries, Jan. 31 – Feb. 6, 2003

proposal A, the board set a harvest range of 100,000 to 150,000 for the Chitina Subdistrict and set the bag limit a one chinook salmon per permit holder.

**PROPOSAL NO. 43**

**ACTION: No action**

**DESCRIPTION:** Repeal the positive customary and traditional determination and reinstate the Chitina personal use fishery.

**DISCUSSION:** The board took no action on the proposal due to action taken on proposal 42.

**PROPOSAL NO. 44**

**ACTION: Carried as amended**

**DESCRIPTION:** Delete the December 31, 2002 sunset clause in the Copper River Chinook Salmon Fishery Management Plan.

**AMENDMENT:** Set a sustainable escapement goal of 24,000 or greater for chinook salmon.

**DISCUSSION:** The department reassured the board that the chinook salmon escapement enumeration projects are still a work in progress and are continually evolving. The department further indicated its intent to examine more effective and more precise methods of assessing chinook salmon escapement. The board stated its intent to increase the department's flexibility to manage this fishery while not increasing the overall harvest potential.

**PROPOSAL NO. 45**

**ACTION: Carried as amended**

**DESCRIPTION:** Clarify the BEG for the management of the Copper River District.

**AMENDMENT:** Set the sustainable escapement goal (SEG) to 300,000-500,000 sockeye salmon.

**DISCUSSION:** The board recognized this proposal was housekeeping in nature and supported the attempt to reduce confusion in the regulations.

**PROPOSAL NO. 46**

**ACTION: Carried as amended**

**DESCRIPTION:** Create a management plan for Cannery Creek Hatchery.

**AMENDMENTS:** Cannery Creek Hatchery Management Plan. (a) The department in consultation with the hatchery operator, shall manage the Cannery Creek Subdistrict to achieve the Prince William Sound Aquaculture Corporation's escapement goal to the Cannery Creek Hatchery. (b) The Cannery Creek Hatchery Terminal Harvest Area consists of waters of Unakwik Inlet in the Northern District north and east of a line from 61° 00.97' N. lat., 147° 33.12' W. long. southward to a point on the shore at 60° 59.79' N. lat., 147° 32.40' W. long., excluding the Cannery Creek Hatchery Special Harvest Area. (c) The Cannery Creek Hatchery Special Harvest Area consists of the waters Unakwik Inlet in the Northern District north and east of a line from 61° 00.97' N. lat., 147° 32.62' W. long., southward to a point on the shore at 60° 59.96' N. lat., 147° 31.48' W. long. (d) Notwithstanding 5 AAC 24.320 and 5 AAC 24.330 and except as otherwise provided for under emergency order issued under AS 16.05.060, a person holding a permit under AS 16.10.400 for the Cannery Creek Hatchery, and an agent, contractor or employee of that person who is authorized under 5 ACC 40.005(g), may harvest salmon within the Cannery Creek Hatchery Special Harvest Area from 6:00 a.m. July 7 through 6:00 p.m. September 15 using purse seines, hand purse seines, and beach seines.

**DISCUSSION:** The board considered this a housekeeping proposal to standardize subdistrict boundaries pertaining to Prince William Sound hatcheries.

**PROPOSAL NO. 47**

**ACTION: Carried as amended**

**DESCRIPTION:** Define opening and closing dates for cost recovery in the Wally Norenberg Hatchery.

**AMENDMENTS:** Notwithstanding 5 AAC 24.320 and 5 AAC 24.330 and except as otherwise provided by emergency order issued under AS 16.05.060, a person holding a permit under AS

16.10.400 for the Wally Noerenberg Hatchery, and an agent, contractor, or employee of that person who is authorized under 5 AAC 40.005(g), may harvest salmon within the Wally Noerenberg Hatchery Special Harvest Area from 6:00 a.m. May 25 through 6:00 p.m. September 15 using purse seines, hand purse seines, and beach seines.

**DISCUSSION:** The board considered this a housekeeping proposal to help standardize the management of Prince William Sound hatcheries by clearly defining fishing dates for corporate cost recovery.

**PROPOSAL NO. 48**

**ACTION: Carried as amended**

**DESCRIPTION:** Define opening and closing dates for cost recovery in the Solomon Gulch Special Harvest Area.

**AMENDMENTS:** Notwithstanding 5 AAC 24.320 and 5 AAC 24.330 and except as otherwise provided by emergency order issued under AS 16.05.060, a person holding a permit under AS 16.10.400 for the Solomon Gulch Hatchery, and an agent, contractor, or employee of that person who is authorized under 5 AAC 40.005(g), may harvest salmon within the Solomon Gulch Hatchery Special Harvest Area from 6:00 a.m. June 15 through 6:00 p.m. September 15 using purse seines, hand purse seines, and beach seines.

**DISCUSSION:** The board considered this a housekeeping proposal to help standardize the management of Prince William Sound hatcheries by clearly defining fishing dates for corporate cost recovery.

**PROPOSAL NO. 49**

**ACTION: No action**

**DESCRIPTION:** Create a Prince William Sound gillnet fishery management plan to help retain value of the resource.

**DISCUSSION:** The Department of Law noted that fishing more than one permit is considered stacking and that aspects of the proposal are outside the board's authority. The board considered the proposed management approach would become unmanageable.

**PROPOSAL NO. 50**

**ACTION: No action**

**DESCRIPTION:** Amend the regulation governing the Alternating Gear Zone for set gillnets.

**DISCUSSION:** The board took no action on the proposal due to action taken on proposal 53.

**PROPOSAL NO. 51**

**ACTION: Carried as amended**

**DESCRIPTION:** Define opening and closing dates for cost recovery in the Main Bay Hatchery Special Harvest Area.

**AMENDMENTS:** 5 AAC 24.367. Main Bay Salmon Hatchery Management Plan.

(f) Notwithstanding 5 AAC 24.320 and 5 AAC 24.330 and except as otherwise provided by emergency order issued under AS 16.05.060, a person holding a permit under AS 16.10.400 for the Main Bay Hatchery, and an agent, contractor, or employee of that person who is authorized under 5 AAC 40.005(g), may harvest salmon within the Main Bay Hatchery Special Harvest Area from 6:00 a.m. June 1 through 6:00 p.m. August 15 using purse seines, hand purse seines, and beach seines.

**DISCUSSION:** The board considered this a housekeeping proposal to help standardize the management of Prince William Sound hatcheries by clearly defining fishing dates for corporate cost recovery.

**PROPOSAL NO. 52**

**ACTION: Failed**

**DESCRIPTION:** Increase to 30 fathom the minimum fishing distance between set gillnets and drift gillnets.

**DISCUSSION:** The board noted conflicts between the gear groups and saw the proposal as favoring set net users. The board expressed concern enforcement difficulties and concluded the current regulations are the most enforceable.

**PROPOSAL NO. 53**

**ACTION: Carried as amended**

**DESCRIPTION:** Define gear and distances between gear in the set net fishery in the Alternating Gear Zone.

**AMENDMENTS:** Set gillnet gear may be operated without regard to proximity of any part of another set gillnet.

**DISCUSSION:** The board heard that this proposal does not change gear length. The board intended for side by side, and not end to end, gear use.

**PROPOSAL NO. 54**

**ACTION: Carried as amended**

**DESCRIPTION:** Amend time and area to achieve stated ex-vessel value allocation objective.

**AMENDMENTS:** The ex-vessel value will be obtained from the Alaska Department of Revenue's annual Commercial Operator Annual Report (COAR). Beginning in 2003, percentage of catch increased to 40 percent or less.

**DISCUSSION:** The department gave an overview of the history of this fishery and management plan. The board reviewed previous findings (97-167-FB). The amended language specified how allocation uses the COAR report and triggering device should allocation drop to 25 percent in the Esther Subdistrict. The board expressed a concern of disparity in the fleet, but noted production policy and pricing are issues that outside the board's authority. The board considered the ex-vessel value. Department staff explained how they determine ex-vessel value and why they prefer COAR information. Board intended that if parity is met, this allocation objective be reviewed again at a later date.

**PROPOSAL NO. 55**

**ACTION: Carried as amended**

**DESCRIPTION:** Allow the Perry Island Subdistrict to be open concurrently with the Esther Subdistrict.

**AMENDMENTS:** Delete the regulatory language which states that when the Esther Subdistrict is closed to achieve corporate escapement goals and broodstock needs of the Wally Noerenberg Hatchery, the Perry Island Subdistrict shall be closed.

**DISCUSSION:** The board found this proposal housekeeping in nature and supported it to provide greater flexibility, allow opportunity for harvest of abundant pink salmon stock, and address cost recovery concerns.

**PROPOSAL NO. 56**

**ACTION: Failed**

**DESCRIPTION:** Allow purse seines to operate throughout Coghill District with the exception of Esther Subdistrict.

**DISCUSSION:** The board reviewed the allocation criteria. They addressed the issue of fairness and concern of gear conflicts and considered an amendment for alternating one-day openings between gillnet and seine. The board referenced the significant changes made in adopting proposal 54.

**PROPOSAL NO. 57**

**ACTION: No action**

**DESCRIPTION:** Ensure allocation percentages to prevent over-harvest by the gillnet fleet.

**DISCUSSION:** The board took no action on the proposal due to action taken on proposal 54.

**PROPOSAL NO. 58**

**ACTION: No action**

**DESCRIPTION:** Prohibit tenders from carrying gear for catcher-vessels.

**DISCUSSION:** The board took no action on the proposal due to action taken on proposal 1.

**PROPOSAL NO. 59**

**ACTION: No action**

**DESCRIPTION:** Define "reasonable distance" for setnetters within Eshamy District.

**DISCUSSION:** The board took no action on the proposal to honor a request by the sponsor that the proposal be withdrawn.

**PROPOSAL NO. 60**

**ACTION: No action**

**DESCRIPTION:** Allow more gear length in the Crafton Island Subdistrict.

**DISCUSSION:** The board took no action on the proposal to honor a request by the sponsor that the proposal be withdrawn.

**PROPOSAL NO. 61**

**ACTION: Failed**

**DESCRIPTION:** Require removal from water of inactive set net anchor buoys.

**DISCUSSION:** The Department of Law noted questions over the board's authority on unused gear. The board considered gear conflict issues, loss of gear, and problems with enforcement.

**PROPOSAL NO. 62**

**ACTION: Carried as amended**

**DESCRIPTION:** Modify Crafton Island Subdistrict regulation to match Main Bay Subdistrict regulation.

**AMENDMENTS:** Inshore end of a set gillnet or set gillnet lead may not be operated in water deeper than four fathoms at low tide, except in the Main Bay Subdistrict, as provided in 5 AAC 24.367(b)(4).

**DISCUSSION:** The board heard reports of cases where setnet site use was changing from shore to offshore use and impacting use by other gear groups and that the reason for four fathoms was to protect one of historically used setnet sites. The board intended for maintain status quo in terms of use site use.

**PROPOSAL NO. 63**

**ACTION: No action**

**DESCRIPTION:** Direct how the department schedules fishing periods when there is a large amount of harvestable fish.

**DISCUSSION:** The board took no action on the proposal because the department already has the authority to do what this proposal requests.

**PROPOSAL NO. 64**

**ACTION: Carried as amended**

**DESCRIPTION:** Define Alyeska Security Zone in Port Valdez to match federal safety zone regulations.

**AMENDMENTS:** Changed from Alyeska "Security" Zone to Alyeska "Safety" Zone.

**DISCUSSION:** The board considered this a housekeeping proposal to clarify the area title to match federal regulatory language.

**PROPOSAL NO. 65**

**ACTION: No action**

**DESCRIPTION:** Institute a hatchery management subdistrict in Cannery Creek.

**DISCUSSION:** The board took no action on the proposal due to action taken on proposal 46.

**PROPOSAL NO. 66**

**ACTION: Failed**

**DESCRIPTION:** Require fishermen to report "home pack" to include PWS.

**DISCUSSION:** The board heard that salmon retained by the commercial fishers for use of other than sale to processors would be insignificant in relation to the overall run and that reporting of

chinook salmon retained is already required in regulation. The board concluded that the number of salmon retained is not significant enough to warrant the effort to report.

**PROPOSAL NO. 67**

**ACTION: Failed**

**DESCRIPTION:** Increase possession limit for coho salmon in fresh waters of Prince William Sound.

**DISCUSSION:** The board noted this would increase harvest potential among anglers on multi-day trips and expressed concern about the vulnerability of wild coho salmon stocks by directed fisheries.

**PROPOSAL NO. 68**

**ACTION: Failed**

**DESCRIPTION:** Increase coho salmon bag and possession limits in salt waters of Prince William Sound.

**DISCUSSION:** Adoption would increase the bag limit, which are vulnerable to overharvest.

**PROPOSAL NO. 69**

**ACTION: Failed**

**DESCRIPTION:** Increase coho salmon bag and possession limits in Cordova Terminal Harvest Area.

**DISCUSSION:** The board noted that the department currently emergency order authority to increase the bag limit when there is a surplus of fish.

**PROPOSAL NO. 70**

**ACTION: Carried**

**DESCRIPTION:** Allow snagging in Fleming Spit Creek and Lagoon from October 1 - May 31.

**DISCUSSION:** The board considered this a housekeeping proposal that clarifies the regulatory language.

**PROPOSAL NO. 71**

**ACTION: Carried as amended**

**DESCRIPTION:** Prohibit releasing coho salmon caught by anglers fishing with salmon roe along the Copper River Highway from Mile 6 to Mile 27.

**AMENDMENTS:** Coho salmon removed from the water must be retained and counted as part of the bag limit of the person that originally hooked the fish; a person may not remove a coho salmon from the water before releasing the fish.

**DISCUSSION:** The board heard that release mortality is high, particularly when bait is used. The amendment specified streams subject to the closure.

**PROPOSAL NO. 72**

**ACTION: Carried**

**DESCRIPTION:** Extend southern boundary of the Valdez Terminal Harvest Area for coho salmon.

**DISCUSSION:** The board noted the terminal harvest area was established in 1999. The department noted concern over protecting the wild coho salmon stocks. Adoption would establish the outside line for the terminal harvest area consistent with the derby line. The board retained the bag and possession limit in Jack, Sawmill and Galena bays.

**PROPOSAL NO. 73**

**ACTION: No action**

**DESCRIPTION:** Extend southern boundary of the Valdez Terminal Harvest Area for coho salmon.

**DISCUSSION:** The board took no action on the proposal due to action taken on proposal 72.

**PROPOSAL NO. 74**

**ACTION: Failed**

**DESCRIPTION:** Prohibit snagging sockeye salmon in some marine waters of Prince William Sound from June 1 through July 31.

**DISCUSSION:** The board noted its objective of protecting sockeye salmon escapements to small systems but found that data was largely unavailable for these smaller streams.

**PROPOSAL NO. 75**

**ACTION: Carried as amended**

**DESCRIPTION:** Modify chinook salmon bag, possession and size limits to be consistent with other chinook salmon fisheries in the region.

**AMENDMENTS:** In freshwater two per day, four in possession, 20 inches or greater in length; ten per day, ten in possession less than 20 inches in length. In saltwater two per day and four in possession, no size limit.

**DISCUSSION:** The board supported the objective to provide consistency in the area regulations.

**PROPOSAL NO. 76**

**ACTION: Failed**

**DESCRIPTION:** Change bag and possession limit for sockeye salmon within Gulkana River.

**DISCUSSION:** Department staff explained that this proposal would significantly increase the overall harvest of the wild stock of sockeye salmon in the Copper River drainage. The board expressed concern over increasing the daily and overall possession limit of sockeye.

**PROPOSAL NO. 77**

**ACTION: No action**

**DESCRIPTION:** Restrict Copper River Drainage sport fishery to catch and release at beginning of season.

**DISCUSSION:** The board took no action on the proposal to honor a request by the sponsor that the proposal be withdrawn.

**PROPOSAL NO. 78**

**ACTION: No action**

**DESCRIPTION:** Impose annual limit of two chinook salmon in Upper Copper River sport fishery.

**DISCUSSION:** The board took no action on the proposal due to action taken on proposal 44.

**PROPOSAL NO. 79**

**ACTION: Failed**

**DESCRIPTION:** Restrict anglers from fishing after taking a chinook salmon within a given day.

**DISCUSSION:** The board questioned the biological justification for this proposal and expressed concerns about enforcement difficulties.

**PROPOSAL NO. 80**

**ACTION: Carried as amended**

**DESCRIPTION:** Remove sport angling special provisions for chinook salmon within Copper River.

**AMENDMENTS:** Remove sport angling special provisions on the Copper River and Moose Creek while retaining these provisions on the Tazlina Lake drainage, Paxson Lake, and Summit Lake.

**DISCUSSION:** The board recognized that the current no-bait restriction was instituted inadvertently as the result of restrictions implemented for the protection of rainbow trout and steelhead populations. The board stated its intent to increase opportunity for sport fishers while simplifying the statewide regulations. The board further supported the department's desire to maintain current restrictions in the Tazlina Lake drainage.

**PROPOSAL NO. 81**

**ACTION: Failed**

**DESCRIPTION:** Increase sport fishing season for chinook salmon within the Klutina River drainage.

**DISCUSSION:** Board members expressed concern for potentially increasing fishing effort and the potential harvest of spawning chinook salmon.

**PROPOSAL NO. 82**

**ACTION: No action**

**DESCRIPTION:** Increase sport fishing season for chinook salmon and impose catch and release on Klutina River.

**DISCUSSION:** The board took no action on the proposal due to action taken on proposal 81.

**PROPOSAL NO. 83**

**ACTION: No action**

**DESCRIPTION:** Increase chinook salmon sport fishing seasons, bag limit, and gear for Klutina River.

**DISCUSSION:** The board took no action on the proposal due to action taken on proposal 81.

**PROPOSAL NO. 84**

**ACTION: Failed**

**DESCRIPTION:** Restrict method of transport for fishermen to non-motorized watercraft on Gulkana River.

**DISCUSSION:** The Department of Law indicated that the board has the authority to limit fishing from a motorized boat and restrict transportation of fisherman but not the general use of motorized boats. Board members noted that most of Gulkana River is not navigable by motorized boats.

**PROPOSAL NO. 85**

**ACTION: Carried**

**DESCRIPTION:** Close waters of the Middle Fork Gulkana River to chinook salmon fishing.

**DISCUSSION:** Board members recognized this proposal as housekeeping in nature and necessary to correct an error in the regulations.

**PROPOSAL NO. 86**

**ACTION: Carried as amended**

**DESCRIPTION:** Allow bait and treble hooks for chinook salmon fishing on the Tonsina River.

**AMENDMENTS:** Restrict fishing to the Tonsina River drainage in flowing waters of the mainstem downstream from the outlet of Tonsina Lake. Bait and artificial lures as described in 5 AAC 75.995 (3) and (36) may be used.

**DISCUSSION:** Board members supported providing greater fishing opportunity in an area that is not easily fished. The board stated that this proposal will not significantly increase the harvest of chinook salmon in the Tonsina River nor impact reasonable fishing opportunity. Board members recognized that any increase in harvest would be a result of a shift in fishing effort from neighboring streams and would be accounted for under provisions of annual limits within the basin.

**PROPOSAL NO. 87**

**ACTION: Failed**

**DESCRIPTION:** Increase limits for lake trout in Paxson and Summit lakes with 24-inch size limit.

**DISCUSSION:** The board stated that more time is needed for recovery and to evaluate the effects of the minimum size regulation before increasing the harvest pressure on lake trout.

**PROPOSAL NO. 88**

**ACTION: Failed**

**DESCRIPTION:** Increase limits for lake trout in Crosswind Lake with annual limit of one 30-inch fish.

**DISCUSSION:** Board members recognized the potential shift in fishing effort from Lake Louise to Crosswind Lake and opposed an increase in harvest.

**PROPOSAL NO. 89**

**ACTION: No action**

**DESCRIPTION:** Restrict the use of bait for lake trout in roadside lakes.

**DISCUSSION:** The board took no action because this restriction is currently regulation.

**PROPOSAL NO. 90**

**ACTION: No action**

**DESCRIPTION:** Change limits for lake trout in Paxson and Summit lakes.

**DISCUSSION:** The board took no action on the proposal due to action taken on proposal 87.

**PROPOSAL NO. 91**

**ACTION: No action**

**DESCRIPTION:** Close fishing for lake trout from September 1 to 30.

**DISCUSSION:** The board took no action on the proposal to honor a request by the sponsor that the proposal be withdrawn.

**PROPOSAL NO. 92**

**ACTION: Carried as amended**

**DESCRIPTION:** Combine wild rainbow/steelhead/cutthroat bag, possession and size limits.

**AMENDMENTS:** Rainbow/steelhead/cutthroat trout: all freshwater drainages crossed by the Copper River Highway from and including Eyak River to the Million Dollar Bridge, including Clear Creek and excluding the Martin River; bag and possession limit of five per day and five in possession. Only one per day and in possession may be 10 inches or greater in length. All other waters excluding stocked lakes and the Copper River Delta Special Management Area for trout as described in 5 AAC 55.033: two per day and two in possession, only one per day and in possession may be 20 inches or greater in length. Ruth Pond and Blueberry Lakes stocked with rainbow trout: five per day and ten in possession.

**DISCUSSION:** The board supported the proposal to clarify trout bag and possession limits.

**PROPOSAL NO. 93**

**ACTION: Carried**

**DESCRIPTION:** Close Tolsona Lake to burbot fishing.

**DISCUSSION:** The department reported that ongoing assessments have not shown an adequate recovery in the burbot population to allow a fishery. Board members recognized that allowing a harvest at this time would negatively affect the population and supported putting this closure in regulation to remove confusion.

**PROPOSAL NO. 94**

**ACTION: Carried**

**DESCRIPTION:** Increase daily bag limit for burbot and modify legal gear and areas.

**DISCUSSION:** The board expressed its desire to allow for additional fishing opportunity in an underutilized resource while not significantly impacting the burbot population.

**PROPOSAL NO. 95**

**ACTION: Carried**

**DESCRIPTION:** Open Lake Louise to sport fishing for burbot.

**DISCUSSION:** The department reported stock assessments in Lake Louise have shown that the burbot population has stabilized below the historical abundance levels. Board members stated its intent to reopen a popular fishery when the population can sustain harvesting.

**PROPOSAL NO. 96**

**ACTION: Failed**

**DESCRIPTION:** Define "closely attended" as related to setline.

**DISCUSSION:** Board members stated that the current requirement for attending lines is adequate, and further noted the enforcement difficulties this proposal would generate.

**PROPOSAL NO. 97**

**ACTION: Carried as amended**

**DESCRIPTION:** Close waters of Twelvemile Creek to sport fishing April 15 to June 15.

**AMENDMENTS:** From April 15 to June 14, all waters of the Middle Fork Gulkana River from the outlet of Dickey Lake to an ADF&G regulatory marker located approximately three miles downstream; Hungry Hollow Creek and Twelvemile Creek are closed to sport fishing.

**DISCUSSION:** The board expressed support for protecting rainbow and steelhead spawning areas in the Gulkana drainage. Board members further recognized that changing the season end date would provide consistency with other state rainbow trout water and reduce confusion.

**PROPOSAL NO. 98**

**ACTION: Carried**

**DESCRIPTION:** Regulate the use of ice houses within the Upper Copper drainage.

**DISCUSSION:** Board members supported the opportunity to provide the department a means to keep track of ice houses through registration.

**PROPOSAL NO. 99**

**ACTION: Carried**

**DESCRIPTION:** Remove reference to Bessie Creek and outlet into Tolsona Lake.

**DISCUSSION:** The board recognized that Bessie Creek will no longer allow for migration of spawning grayling and therefore a seasonal closure to protect the fishery is no longer necessary.

**PROPOSAL NO. 100**

**ACTION: Carried as amended**

**DESCRIPTION:** Reduce daily bag limit from ten to five for Arctic grayling.

**AMENDMENTS:** The bag and possession limit for Arctic grayling is five per day, and five in possession; no size limit. The bag and possession limit for Arctic grayling is ten per day, and ten in possession; no size limit, in the following lakes: Arizona, Buffalo, Connor, Crater, Dick, DJ, Gergie, John, Junction, Little Crater, Little Junction, North Jans, Old Road, Peanut, Pippin, Round, Ryan, Sculpin, Silver, Strelna, South Jans, Squirrel Creek Pit, Tex Smith, Three Mile, Tolsona Mountain, Two Mile, Van.

**DISCUSSION:** The department reported having no data to support the idea that lake Arctic grayling populations can sustain higher levels of harvest than flowing water populations. Board members expressed interest in increasing bag limits for stocked waters while allowing for consistency in the regulations.

**PROPOSAL NO. 101**

**ACTION: No action**

**DESCRIPTION:** Require that guides register with the department.

**DISCUSSION:** The board took no action because levying fees is outside of its authority and the registration requirement is already in place.

**PROPOSAL NO. 102**

**ACTION: Carried as amended**

**DESCRIPTION:** Allow whitefish to be taken with spear or bow and arrow year-round.

**AMENDMENTS:** Whitefish may be taken from October 1 through March 31 by spear or bow and arrow. The arrow must have a barbed tip and be attached by a line to the bow. Suckers may be taken year round by spear or bow and arrow.

**DISCUSSION:** Board members recognized that neither of these gear types are used for traditional means of harvesting fish. The board noted similar fisheries exist where populations are sustainable and the interest exists.

**PROPOSAL NO. 456**

**ACTION: Carried as amended**

**DESCRIPTION:** Close waters within the Whittier Small Boat Harbor to snagging.

**AMENDMENTS:** The waters within the Whittier Small Boat Harbor are closed to snagging year round.

**DISCUSSION:** The department reported there are no conservation issues with the hatchery stocks that return to the waters of Passage Canal adjacent to the community of Whittier. The

board hears reports on damage to boats, boating equipment and harbor facilities and potential personal liability problems associated with snagging in the immediate harbor area. They concluded this would create an orderly fishery in the short term and encouraged an educational effort to address long-term problems.

**PROPOSAL A**

**ACTION: Carried**

**DESCRIPTION:** Add a personal use allocation to the Copper River District Chinook Salmon Management Plan and specify bag limit of one chinook salmon.

**DISCUSSION:** This was a board-generated proposal to address the chinook salmon allocation and bag limit in the personal use fishery, which was reestablished by the board's action on proposal 42. The board reviewed the allocation criteria and noted that the nature of the fishery did not change. The board modified the 1999 personal use harvest range of 100,000 salmon to the Chitina Subdistrict to the 100,000 - 150,000 range that existed under the Chitina Subdistrict subsistence regulations. They also retained one chinook salmon per permit holder bag limit that existed under the Chitina Subdistrict subsistence regulations.

**MISCELLANEOUS BUSINESS**

**Committee assignments**

The board assigned Art Nelson to replace Ed Dersham on the three-member committee working with the Board of Game on the commissioner selection process. The board deferred making changes to standing committees until the Ketchikan meeting in late February.

**Chignik Salmon Cooperative Fishery**

The board heard from new board members on their general support for recently adopted cooperative fishery approach based on an improvement to product quality and on a reduction of the overhead costs. They noted the fishery would be reviewed early in next year's meeting cycle.

**Habitat Division**

The board discussed potential concerns regarding the transfer of habitat related permitting functions from the Department of Fish and Game to the Department of Natural Resources. The board requested the department provide a report during the Ketchikan meeting in late February apprising the board of the current status. The board noted the importance of habitat protection for fisheries in general and its role in the Sustainable Salmon Fisheries Policy.

Summary of Actions  
Alaska Board of Fisheries

Prince William Sound and Upper Copper/Upper Susitna Finfish  
December 1-6, 2005  
Valdez, Alaska

**DESIGNATED REPORTERS: Sherry Wright and Rita St. Louis**

*This summary of actions is for information purposes only and is not intended to detail, reflect or fully interpret the reasons for the Board's actions.*

**PROPOSAL NO. 1**

**ACTION: Failed**

**DESCRIPTION:** Liberalize season and institute bag and possession limits for Prince William Sound (PWS) subsistence fisheries.

**DISCUSSION:** The board expressed intent for periods of commercial fishery closures to allow subsistence harvest opportunity. Adoption could result in increased harvest on small stocks and could create enforcement confusion by operators that have subsistence permits. The board referenced action taken in Proposal B.

**PROPOSAL NO. 2**

**ACTION: No action**

**DESCRIPTION:** Liberalize season and institute bag and possession limits for PWS subsistence fisheries.

**DISCUSSION:** The board took no action based on action taken on Proposal 1.

**PROPOSAL NO. 3**

**ACTION: No action**

**DESCRIPTION:** Customary and traditional use determination for the Chitina Subdistrict.

**DISCUSSION:** The Department of Law indicated the board must show a reason to deviate from a prior decision. If either error or significant new information is found, then the board looks into C&T criteria and analysis. A lengthy discussion took place regarding the C&T findings, as the board examined if there was error in an earlier determination because *users* not *uses* were used as the basis of the decision. Earlier court decisions such as the Payton vs. State of Alaska were referenced as were excerpts from the BOF meeting on February 5, 2003. There was discussion on dividing the Copper River Stock into sub stocks, some of which were subsistence and others personal use. The board also discussed how the same stock can be divided in different parts of the stream.

**PROPOSAL NO. 4**

**ACTION: No action**

**DESCRIPTION:** Require fish wheel permit holders to physically check and remove all fish from the live box at least once every 24 hours.

**DISCUSSION:** The board took no action based on action taken on Proposal 5.

**PROPOSAL NO. 5**

**ACTION: Carried**

**DESCRIPTION:** Require fish wheel permit holders to physically check and remove all fish from the live box at least once every 24 hours.

**AMENDMENTS:** Permit holder must check the fish wheel at least once every 10 hours and remove all fish.

**DISCUSSION:** The board supported the amendment by public safety because it will be a useful enforcement tool. The federal program had no recommendation, but will align their new regulations with those of the state.

**PROPOSAL NO. 6**

**ACTION: No action**

**DESCRIPTION:** Liberalize Batzulnetas fishing season and add fyke nets to allowed gear for Tanada Creek.

**DISCUSSION:** The panel recommended no action. Author requested withdrawal.

**PROPOSAL NO. 7**

**ACTION: Failed**

**DESCRIPTION:** Limit the number of households that use a fish wheel to 25.

**DISCUSSION:** The board discussed the reduction of harvest opportunity.

**PROPOSAL NO. 8**

**ACTION: No action**

**DESCRIPTION:** Require a livebox on fish wheels in the Glenallen Subdistrict.

**DISCUSSION:** This proposal was withdrawn by the proponent.

**PROPOSAL NO. 9**

**ACTION: No action**

**DESCRIPTION:** Establish a mandatory checkpoint to monitor fishing permits and salmon harvested, located five miles from Chitina.

**DISCUSSION:** The board took no action based on action taken on Proposal 10.

**PROPOSAL NO. 10**

**ACTION: Failed**

**DESCRIPTION:** Establish a mandatory checkpoint to monitor fishing permits and salmon harvested, located five miles from Chitina.

**DISCUSSION:** The department does not have administrative powers and there is already 85 percent compliance from the harvest report. The board agreed that a checkpoint would not be valuable to monitor fishing and it would not be a productive use of resources.

**PROPOSAL NO. 11**

**ACTION: Failed**

**DESCRIPTION:** Liberalize the Copper River District subsistence fishing season.

**DISCUSSION:** The board discussed amounts necessary for subsistence and reasonable opportunity. They also discussed the potential impact on the number of salmon available for user groups upstream.

**PROPOSAL NO. 12**

**ACTION: Failed**

**DESCRIPTION:** Require personal use fishing permits be returned to the issuing office by a specified deadline.

**DISCUSSION:** The board discussed the adequacy of harvest reporting.

**PROPOSAL NO. 13**

**ACTION: Failed**

**DESCRIPTION:** Increase the annual limit for personal use salmon fishing from one to five king salmon in the Chitina Subdistrict.

**DISCUSSION:** The proposal's intent is to reestablish the historical catch limit to 1999 levels and restore lost harvest opportunity. The board discussed the number of fisheries that would be impacted and the allocation of the fishery.

**PROPOSAL NO. 14**

**ACTION: Failed**

**DESCRIPTION:** Require personal use salmon fishing permit holders in the Chitina Subdistrict to release all king salmon during the month of June

**DISCUSSION:** This is primarily a personal use and sports fishery. Because this proposal is allocative in nature, the board voted not to adopt it.

**PROPOSAL NO. 15**

**ACTION: Failed**

**DESCRIPTION:** Allow a personal use salmon fishing permit holder and each member of the household an annual limit of one king salmon in the Chitina Subdistrict.

**DISCUSSION:** The board discussed the reduction of harvest opportunity over time in this fishery, due largely to the increasing number of users. Options to go to other areas and/or use different species of salmon were discussed.

**PROPOSAL NO. 16**

**ACTION: Failed**

**DESCRIPTION:** Increase the annual limit for a personal use salmon fishing permit from one to two king salmon in the Chitina Subdistrict.

**DISCUSSION:** The department and the board discussed the history of personal use; the participants have been relatively stable numbers. The number of participants, availability of fish, use different species, and other areas were discussed.

**PROPOSAL NO. 17**

**ACTION: Failed**

**DESCRIPTION:** Establish a cooperative of purse seine permit holders.

**DISCUSSION:** There are already cooperatives in place that are working and it could disadvantage the seine fleet. A decision is expected in March, 2006 on current litigation. This is the type of proposal that would fit the salmon restructuring process.

**PROPOSAL NO. 18**

**ACTION: No action**

**DESCRIPTION:** Limit gear type in Coghill District to purse seine only.

**DISCUSSION:** Board took no action based on action taken on Proposal 27.

**PROPOSAL NO. 19**

**ACTION: No action**

**DESCRIPTION:** Prohibit the drift gillnet fleet from access to Port Chalmers Subdistrict.

**DISCUSSION:** Board took no action based on action taken on Proposal 27.

**PROPOSAL NO. 20**

**ACTION: No action**

**DESCRIPTION:** Calculate exvessel value for allocation as a five-year rolling average.

**DISCUSSION:** Board took no action based on action taken on Proposal 27.

**PROPOSAL NO. 21**

**ACTION: No action**

**DESCRIPTION:** Expand the use of the Esther Subdistrict buffer zone.

**DISCUSSION:** Board took no action based on action taken on Proposal 27.

**PROPOSAL NO. 22**

**ACTION: No action**

**DESCRIPTION:** Eliminate the July 21 opening date for purse seine gear in Coghill District.

**DISCUSSION:** Board took no action based on action taken on Proposal 27.

**PROPOSAL NO. 23**

**ACTION: Failed**

**DESCRIPTION:** Allow purse seine access to Armin F. Koernig Hatchery SHA and THA beginning June.

**DISCUSSION:** Would not be able to detect large numbers of wild stock harvest until it's too late.

**PROPOSAL NO. 24**

**ACTION: Failed**

**DESCRIPTION:** Open Southwestern District based on strength of wild and enhanced stocks.

**DISCUSSION:** The department already has EO authority to open and close this fishery.

**PROPOSAL NO. 25**

**ACTION: Failed**

**DESCRIPTION:** Remove the 58 foot length limit for purse seine vessels.

**DISCUSSION:** There are over 100 active PWS purse seine permits. Harvest is limited by the processors holding capacity. Processors may reduce the number of active permits based on the specifications of the vessels. Department of Law expressed concerns of the regulations being too tied up with CFEC regulations. This fishery is fully allocated.

**PROPOSAL NO. 26**

**ACTION: No action**

**DESCRIPTION:** Limit set gillnet harvest to 1.5 percent of the five-year rolling average of total exvessel value.

**DISCUSSION:** Board took no action based on action taken on Proposal 27.

**PROPOSAL NO. 27**

**ACTION: Carried as amended**

**DESCRIPTION:** Determine allocation of total exvessel value by gear group using only enhanced salmon.

**AMENDMENTS:** Conceptual language adopted addressing the catch of enhanced salmon by the various user groups.

**DISCUSSION:** The board appointed a working group that spent months fine tuning this plan. The working group met again in December 2005 to allow broader discussion between the user groups prior to board deliberations. This gives the department direction to address the allocation problems that have frustrated users.

**PROPOSAL NO. 28**

**ACTION: No action**

**DESCRIPTION:** Designate Pt. Chalmers as seine only and Coghill District as gillnet only prior to July 21.

**DISCUSSION:** Board took no action based on action taken on Proposal 27.

**PROPOSAL NO. 29**

**ACTION: No action**

**DESCRIPTION:** Remove allocation definitions and consequences of the PWS Management and Salmon Enhancement Allocation Plan.

**DISCUSSION:** Board took no action based on action taken on Proposal 27.

**PROPOSAL NO. 30**

**ACTION: No action**

**DESCRIPTION:** Replace current PWS Management and Salmon Enhancement Allocation Plan with the 1991 plan.

**DISCUSSION:** Board took no action based on action taken on Proposal 27.

**PROPOSAL NO. 31**

**ACTION: Failed**

**DESCRIPTION:** Open Perry Island Subdistrict to salmon fishing with purse seine gear on July 10.

**DISCUSSION:** An opening date of July 10 would allow harvest of wild and enhanced chum and sockeye salmon bound for the Coghill and Eshamy districts. The area of concern is within the management plan for a hatchery subdistrict and is managed in consultation between the department and PWSAC.

**PROPOSAL NO. 32**

**ACTION: Failed**

**DESCRIPTION:** Open Southwestern District to salmon fishing with purse seine gear on July 10.

**DISCUSSION:** There is an unknown stock composition prior to July 18 and the department has EO authority to open this district prior to July 18.

**PROPOSAL NO. 33**

**ACTION: Failed**

**DESCRIPTION:** Allow drift gillnet and purse seine gear to be used during periods established by emergency order in the Coghill District.

**DISCUSSION:** Multiple gear in the same district at the same time may create conflicts in the fishery. Prior to the 1980's allocation plan, this was a seine fleet area. It is a mixed stock area. Board prefers to give the revised allocation plan a chance before further adjustments are made.

**PROPOSAL NO. 34**

**ACTION: Failed**

**DESCRIPTION:** Close Southwestern, Coghill, and Eshamy districts and the Perry Island Subdistrict when Esther Subdistrict is open to salmon fishing.

**DISCUSSION:** This decreases the ability to control and manage wild and enhanced runs. The department uses concurrent openings among multiple districts to spread fleets and associated effort.

**PROPOSAL NO. 35**

**ACTION: Failed**

**DESCRIPTION:** Open Southwestern District once per week concurrent with fishing periods in Copper River District.

**DISCUSSION:** Wild and enhanced fish stocks cannot be determined prior to July 18.

**PROPOSAL NO. 36**

**ACTION: Failed**

**DESCRIPTION:** Establish an experimental fishery using an assigned harvest share for the purse seine fleet.

**DISCUSSION:** This proposal may encourage inactive permits to return to the fishery with limited responsibility to the long-term health of the PWS purse seine fisheries. Proposal is not clearly written and is not well understood by the active stakeholders.

**PROPOSAL NO. 37**

**ACTION: Failed**

**DESCRIPTION:** Reduce hatchery chum salmon production for PWS and Southeast Alaska by 30 percent.

**DISCUSSION:** Reducing hatchery chum salmon production in Prince William Sound may have large negative financial impacts to both the PWS purse seine and drift gillnet fisheries. Board is limited in its authority regarding hatchery production; with the exception of protecting wild stocks.

**PROPOSAL NO. 38**

**ACTION: Failed**

**DESCRIPTION:** Reduce hatchery production of pink and chum salmon in PWS by at least 50 percent of the 2003 production.

**AMENDMENTS:**

**DISCUSSION:** Board referenced their comments in Proposal 37.

**PROPOSAL NO. 39**

**ACTION: Carried as amended**

**DESCRIPTION:** Establish a subdistrict including Esther Passage and the west side of Esther Island.

**AMENDMENTS:** The proposed hatchery subdistrict would include Esther Passage and the western shore of Esther Island within 1 mile of the shore south to northern boundary of 223-40.

**DISCUSSION:** This will more efficiently achieve the cost recovery goal and provide a tool of access for the seine fleet harvest of the enhanced chum bound for Wally Norenburg Hatchery as stated in the management plans.

**PROPOSAL NO. 40**

**ACTION: No action**

**DESCRIPTION:** Establish a subdistrict including Esther Passage and the west side of Esther Island.

**DISCUSSION:** The board took no action based on action taken on Proposal 39.

**PROPOSAL NO. 41**

**ACTION: Carried as amended**

**DESCRIPTION:** Define "ceased fishing" for a purse seine as when both ends of the seine are attached to the fishing vessel.

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

**DISCUSSION:** Department of Public Safety encouraged the board to consider making this a statewide regulation as it will make enforcement easier and creates a safer environment for PWS purse seine crew members.

**PROPOSAL NO. 42**

**ACTION: Carried as amended**

**DESCRIPTION:** Redraw the southern boundary line in Coghill District.

**AMENDMENTS:** Amend the Coghill District with a new line position at Point Culross.

**DISCUSSION:** The board agreed that the narrow boundary line corner at Point Culross should be widened. This may alleviate an enforcement problem.

**PROPOSAL NO. 43**

**ACTION: No action**

**DESCRIPTION:** Expand Wally Noerenberg Hatchery SHA into Esther Passage.

**DISCUSSION:** This proposal was withdrawn by the proponent.

**PROPOSAL NO. 44** **ACTION: No action**  
**DESCRIPTION:** Expand Wally Noerenberg Hatchery SHA into the Esther Subdistrict within 300 fathoms of Esther Island.  
**DISCUSSION:** This proposal was withdrawn by the proponent.

**PROPOSAL NO. 45** **ACTION: Failed**  
**DESCRIPTION:** Establish a Marsha Bay SHA.  
**DISCUSSION:** Marsh Lake is not an approved remote release site. The RPT agrees to releases on a case by case basis to provide option to culling fish in excess of hatchery capacity. There should not be regular releases that would require a SHA in regulation. The board prefers to operate any cost recovery through emergency order.

**PROPOSAL NO. 46** **ACTION: No action**  
**DESCRIPTION:** Expand the Main Bay Hatchery SHA into Falls Bay.  
**DISCUSSION:** This proposal was withdrawn by the proponent.

**PROPOSAL NO. 47** **ACTION: No action**  
**DESCRIPTION:** Expand the Main Bay Hatchery SHA within Main Bay.  
**DISCUSSION:** This proposal was withdrawn by the proponent.

**PROPOSAL NO. 48** **ACTION: Carried as amended**  
**DESCRIPTION:** Require the department to manage the Main Bay sub-district, and before July 21, the Crafton Island sub-district, to achieve PWSAC cost recovery.  
**AMENDMENTS:** The department, in consultation with the hatchery operator, shall manage the Main Bay sub-district to achieve the Prince William Sound Aquaculture Corporation's escapement goal for the Main Bay Hatchery. The purpose of the Main Bay salmon hatchery harvest management plan in this section is to provide an equitable distribution of harvest opportunity and to reduce conflicts between users in the vicinity of the Main Bay salmon hatchery.  
**DISCUSSION:** By removing the date, the department will manage the Crafton Island sub-district through emergency order to prevent enhanced fish build-ups and maintain quality. This further standardizes hatchery management plans across PWS.

**PROPOSAL NO. 49** **ACTION: No action**  
**DESCRIPTION:** Expand the Cannery Creek Hatchery SHA.  
**DISCUSSION:** This proposal was withdrawn by the proponent.

**PROPOSAL NO. 50** **ACTION: No action**  
**DESCRIPTION:** Expand the Armin F. Koernig Hatchery SHA.  
**DISCUSSION:** This proposal was withdrawn by the proponent.

**PROPOSAL NO. 51** **ACTION: Failed**  
**DESCRIPTION:** Close the drift gillnet fishery in the Copper River District from Thursday at midnight until Saturday at midnight to improve weekend dipnetting.  
**DISCUSSION:** The Department commented this may reduce opportunity. It would create a reduction in commercial harvest with alternate resource fairly limited. The importance of each fishery to the economy was noted, involving Copper River reds and Chinook. The

safety issue of requiring fishermen to go outside Barrier Island was discussed by the board. Board agreed this "window type" fishery would not produce the desired effect, and this is an alternate to proposal 52.

**PROPOSAL NO. 52**

**ACTION: Carried**

**DESCRIPTION:** Limit commercial fishing in the Copper River District inside the Barrier Islands to 12-hours per week during statistical weeks 20, 21, and 22.

**AMENDMENTS:** (1) Reduced opening period to occur within the first two statistical weeks. (2) Conceptual language changing the description of the area applied to, and (3) clarify the fishing period.

**DISCUSSION:** The department noted this proposal would reduce the management flexibility and reduce commercial fishing opportunity. There is harvest inside and outside the islands, but most kings are caught inside the barrier islands where a refuge area already exists. The department has met escapement objective for sockeye. King escapement goals have changed, and only limited data exists regarding of escapement and returns of kings. Diversification of escapement is important. Different stocks go up river at different times. Early run fish are those going higher up in the river. The proposal's intent is to help protect the kings that were milling before they entered the river. The milling behavior of coho, for which there is a study, was referenced by the board, but the department stated coho behavior does not necessarily relate to sockeye and king salmon. The board acknowledged that stocks were in decline and that there were unmet fishing goals up river. The board agreed that the allocation criteria were complex, and that the action would shift opportunity away from commercial to upstream opportunities and that the action was needed.

**PROPOSAL NO. 53**

**ACTION: No action**

**DESCRIPTION:** Increase escapement of early run salmon upstream of the Gulkana River.

**AMENDMENTS:**

**DISCUSSION:** Board took no action based on action taken on Proposal C.

**PROPOSAL NO. 54**

**ACTION: No action**

**DESCRIPTION:** Increase time and area for king salmon fishing on the Klutina River.

**DISCUSSION:** This proposal was withdrawn by the proponent.

**PROPOSAL NO. 55**

**ACTION: Failed**

**DESCRIPTION:** Reinstate August 10 king salmon closure for Klutina River and designate below the Richardson Highway Bridge fly fishing only.

**DISCUSSION:** The proposal would increase the season by 10 days, and would add some additional opportunity to favor guides and guided anglers. Historically the season had those extra days which was an important stimulus to local economy. The department stated that Klutina is mid point, so it is not clearly an early or a late run. The department estimated harvest potential to be around 500 chinook salmon. Since the proposal was allocative in nature, and since the Copper River kings are already fully allocated, the board did not adopt this proposal.

**PROPOSAL NO. 56**

**ACTION: Failed**

**DESCRIPTION:** Double the allocation of king salmon in Gulkana and Klutina sport fisheries.

**DISCUSSION:** Board noted that abundance on the river has been greatly reduced, in part by increased pressure.

**PROPOSAL NO. 57**

**ACTION: Failed**

**DESCRIPTION:** Modify areas, method and means for all Copper River king salmon fisheries to protect spawning fish.

**DISCUSSION:** The board opposed due to the overly restrictive nature and the potential liberalization of fisheries on small spawning stocks that are currently closed to fishing.

**PROPOSAL NO. 58**

**ACTION: Failed**

**DESCRIPTION:** Allow bait in June on the Gulkana River below Richardson Highway Bridge.

**DISCUSSION:** The board expressed conservation concerns based on hooking mortality. Human crowding is the main problem.

**PROPOSAL NO. 59**

**ACTION: Failed**

**DESCRIPTION:** Restrict use of bait within Copper River mainstem from May 1 – September 1.

**DISCUSSION:** The board opposed restricting unguided anglers and those without a boat.

**PROPOSAL NO. 60**

**ACTION: Failed**

**DESCRIPTION:** Restrict king salmon multiple hook gear to a maximum of four inches in length.

**DISCUSSION:** Public safety noted potential regulatory confusion. There was no information that this was a trend of use. Board believed this may increase mortality.

**PROPOSAL NO. 61**

**ACTION: Failed**

**DESCRIPTION:** Restrict gear to single hook artificial lure from May 1 – October 31 for all freshwater drainages crossing the Copper River Highway.

**DISCUSSION:** The board recognized that this is a social issue, not a biological one since the escapements are being met.

**PROPOSAL NO. 62**

**ACTION: Carried**

**DESCRIPTION:** Close entire Susitna River drainage upstream of the Oshetna River to salmon fishing.

**DISCUSSION:** The board expressed conservation concerns on the impact of small stocks in these systems and therefore supported this proposal to help protect those vulnerable stocks. The board acknowledged there are no allocative issues.

**PROPOSAL NO. 63**

**ACTION: Carried**

**DESCRIPTION:** Remove regulations for rainbow trout not consistent with management policy.

**DISCUSSION:** Intent is to align lakes identified with background regulations of the Cook Inlet/Upper Copper River Wild Rainbow Trout Management Policy.

**PROPOSAL NO. 64**

**ACTION: Carried**

**DESCRIPTION:** Prohibit retention of rainbow trout in the Tebay River drainage.

**DISCUSSION:** Intent of the proposal is to align the regulations within the entire drainage. Catch-and-release regulation is due to the estimated abundances from two years of stock assessment research on the Hanagita River determined that populations sizes were too small (< 350 spawning adult fish) to support a harvest.

**PROPOSAL NO. 65**

**ACTION: Carried**

**DESCRIPTION:** Modify bag and possession limit for rainbow trout/steelhead drainages crossed by Copper River Highway.

**DISCUSSION:** This will align PWS trout limits with statewide standards. Statewide conservative guidelines are appropriate for trout in PWS as they are at or near the northern limit of their range. This changes only the regulations for Cordova roadside streams.

**PROPOSAL NO. 66**

**ACTION: Carried as amended**

**DESCRIPTION:** Add Moose Lake and Our Creek to conservative management category.

**AMENDMENT:** Combines Gulkana river drainage regulatory language.

**DISCUSSION:** These waters were inadvertently left out of the previously adopted AYK Regional Wild Arctic Grayling Management Plan.

**PROPOSAL NO. 67**

**ACTION: Carried**

**DESCRIPTION:** Change bag limits and dates for Arctic grayling in Moose Lake and Our Creek.

**DISCUSSION:** The spawning population of Arctic grayling in Our Creek resides in Moose Lake for most of the year, and needs consistent regulatory protection throughout the year. These waters were inadvertently left out of the previously adopted AYK Regional Wild Arctic Grayling Management Plan during previous BOF meeting.

**PROPOSAL NO. 68**

**ACTION: Carried as amended**

**DESCRIPTION:** Impose catch-and-release fishing for Arctic grayling for the Gulkana River upstream of Paxson Lake.

**AMENDMENTS:** Allow a harvest of two fish of which only one may be 14 inches or greater in length. In Summit Lake from its outlet to within a 100-yard radius of the mouth of Gunn Creek the bag and possession limit for grayling is two fish of which one may be 14 inches or greater in length. In Gunn Creek and all waters within 100-yard radius of its mouth at Summit Lake the bag and possession limit for grayling is two fish of which one may be 14 inches or greater in length.

**DISCUSSION:** The proposal as amended will allow a minimal amount of harvest (two fish/day, only one of which can be  $\geq$  14 inches in length) which is sustainable.

**PROPOSAL NO. 69**

**ACTION: Carried**

**DESCRIPTION:** Allow bait in flowing waters of Tonsina River drainage downstream of Tonsina Lake.

**DISCUSSION:** This proposal was considered a housekeeping proposal.

**PROPOSAL NO. 70**

**ACTION: Carried as amended**

**DESCRIPTION:** Institute a Lake Trout Management Plan.

**AMENDMENTS:** Modify the proposed language for the Wild Lake Trout Management Plan.

**DISCUSSION:** Provides the department guidelines on managing lake trout in the Upper Susitna region.

**PROPOSAL NO. 71**

**ACTION: Carried as amended**

**DESCRIPTION:** Allow bait in Paxson and Summit lakes during November 1 – April 15.

**AMENDMENTS:** Amended language changes the bag and possession of lake trout from two fish  $\geq$  24 inches to one fish with no size limit, thereby aligning fishery to fit within lake trout management plan.

**DISCUSSION:** Under current regulation, the popular burbot fishery is unnecessarily restricted. This was a compromise between the elimination of the length limit for allowing bait.

**PROPOSAL NO. 72**

**ACTION: Failed**

**DESCRIPTION:** Reduce the bag and possession limits of rockfish for anglers onboard a vessel.

**DISCUSSION:** Party fishing regulations stated in the proposal are not consistent with the current management policy. Bag limit analysis indicates that this proposal will not likely result in a lower mortality of rockfish.

**PROPOSAL NO. 73**

**ACTION: Tabled to March, 2006**

**DESCRIPTION:** Establish an experimental fishery for spiny dogfish in the Gulf of Alaska.

**DISCUSSION:** The department has the authority to establish experimental fisheries. Board tabled this to its March, 2006 meeting to allow review by NPFMC.

**PROPOSAL NO. 74**

**ACTION: Carried**

**DESCRIPTION:** Simplify regulatory language in the PWS Pollock Trawl Management Plan.

**DISCUSSION:** This is a housekeeping proposal to simplify regulatory language.

**PROPOSAL NO. 75**

**ACTION: Tabled to March, 2006**

**DESCRIPTION:** Change the GHL taken from one section for pollock pelagic trawl fishery to no more than 60 percent.

**DISCUSSION:** Can provide access to harvest known aggregations and reduce bycatch. Board tabled this to its March, 2006 meeting to allow review by NPFMC.

**PROPOSAL NO. 76**

**ACTION: Carried as amended**

**DESCRIPTION:** Include longline pots as lawful gear for harvesters of sablefish.

**AMENDMENTS:** Pots may be connected in the Prince William Sound sablefish fishery if each end of the buoy line is marked as specified in subsection (d) of this section.

**DISCUSSION:** Pot gear would stop Orca whales from stealing sablefish and reduce undocumented sablefish loss. This may help prevent some of the groundfish bycatch. Pot gear could help stop other depredation in future, and will not teach predators to steal.

Separate seasons could be used to avoid potential gear conflict. A discussion of extending or moving the season dates away from early spring when Orca whales are more likely to be present was considered. CFEC will need to file a subsequent regulation, but the conceptual language will give the department the guidance needed to move this forward. This will allow another gear type to participate. The harvest levels are already defined. The board intended that trawlers could use pot gear.

**PROPOSAL NO. 77**

**ACTION: Carried as amended**

**DESCRIPTION:** Establish bycatch levels for the pollock pelagic trawl fishery.

**AMENDMENTS:** During a directed pollock pelagic trawl fishery, the total fishery bycatch weight, apportioned among five species groups may not exceed 5 percent the total round weight of pollock harvested.

**DISCUSSION:** This formalizes how the department is currently managing fishery.

**PROPOSAL NO. 78**

**ACTION: Failed**

**DESCRIPTION:** Align PWS sablefish season with the federal fishing season (March 1 – November 15).

**DISCUSSION:** May compromise department's commercial catch sampling ability. Registration deadline may conflict with changing dates of the IFQ halibut fishery.

**PROPOSAL NO. 79**

**ACTION: Failed**

**DESCRIPTION:** Replace herring harvest allocation for purse seine with a herring harvest allocation for purse seine permit holders using drift gillnets.

**DISCUSSION:** This provides a means to obtain harvestable surplus when available. Gillnets may catch different age classes and sizes, which may alter management. Older fish have better production and gillnets will catch more large fish than seines.

**PROPOSAL NO. 80**

**ACTION: Failed**

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

**DISCUSSION:** This proposal was withdrawn by the proponent.

**PROPOSAL A**

**ACTION: Carried**

**DESCRIPTION:** Amount of salmon reasonably necessary for subsistence uses in the Copper River District described in 5 AAC 24.200(a) in years when there is available surplus for a commercial salmon fishery is 3,000 to 5,000 salmon and in years when there is no surplus for a commercial salmon fishery is 19,000 to 32,000 salmon.

**DISCUSSION:** Board believes these are accurate amounts necessary for subsistence and affords reasonable opportunity for subsistence harvest.

**PROPOSAL B**

**ACTION: Carried**

**DESCRIPTION:** Amount of salmon reasonably necessary for subsistence uses in the Southwestern District described in 5 AAC 24.200(i) and the waters along the northwestern shore of Green Island from the westernmost tip of the island to the northernmost tip of the island is 2,100 to 3,500 salmon. Amount of salmon reasonably necessary for subsistence uses in the waters north of a line from Porcupine Point to Granite Point and south of a line from Point Lowe to Tongue Point is 1,800 to 3,000 salmon.

**DISCUSSION:** Board believes these are accurate amounts necessary for subsistence and affords reasonable opportunity for subsistence harvest.

**PROPOSAL C**

**ACTION: Carried**

**DESCRIPTION:** Amount of salmon reasonably necessary for subsistence uses in the Glennallen Subdistrict of the Upper Copper River District: (1) that portion from the southern boundary of the subdistrict at the downstream edge of the Chitina-McCarthy Road Bridge to the mouth of the Tonsina River is 25,500 to 39,000 salmon; (2) that portion upstream of the mouth of the Tonsina River up to the mouth of the Gakona River is 23,500 to 31,000 salmon; and (3) that portion upstream of the mouth of the Gakona River up to the mouth of the Slana River and the waters of the Copper River described in 5 AAC 01.647(i)(3) is 12,000 to 12,500 salmon.

**DISCUSSION:** Board believes these are accurate amounts necessary for subsistence and affords reasonable opportunity for subsistence harvest.

**PROPOSAL D**

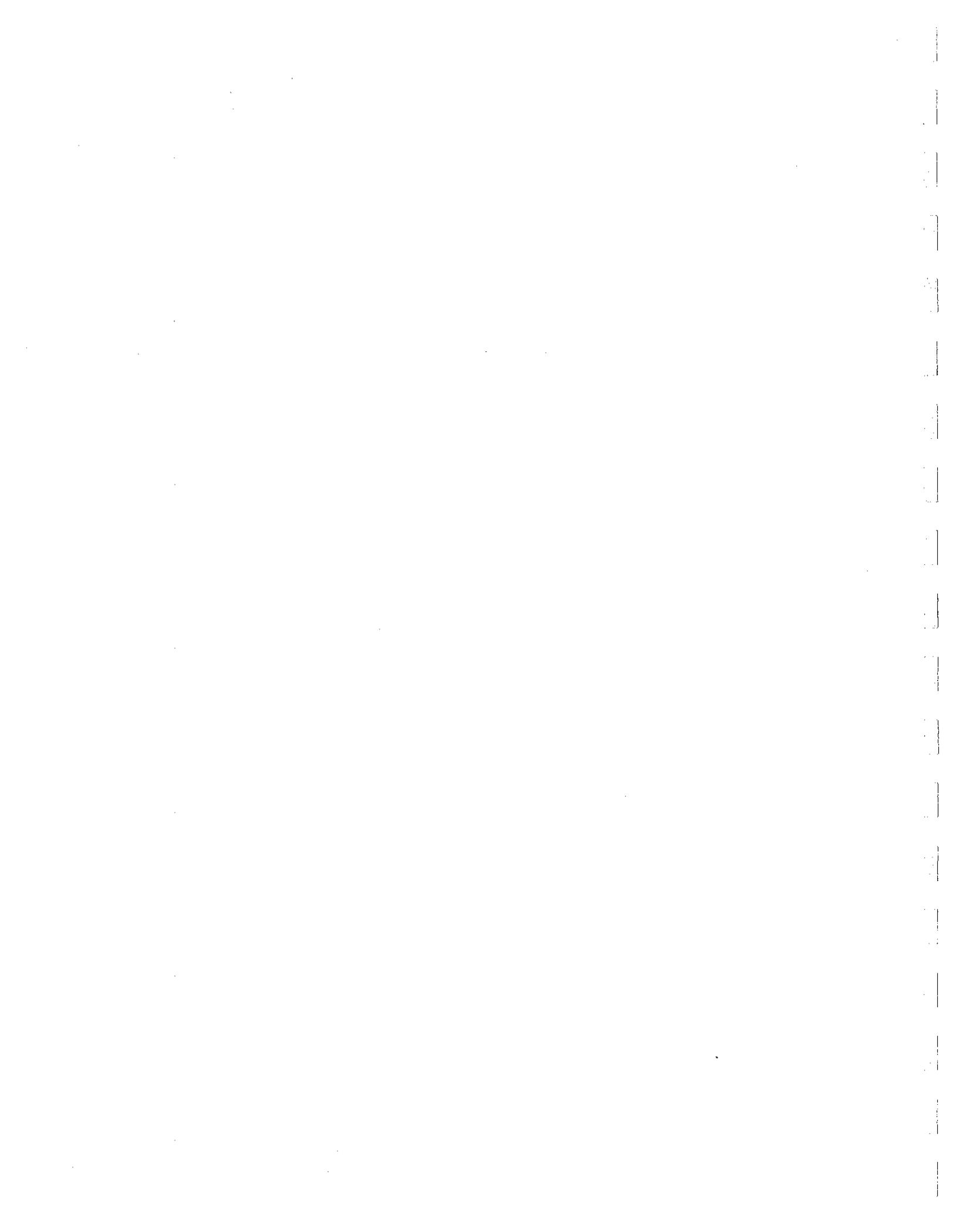
**ACTION: Deferred to Jan. 2006**

**DESCRIPTION:** Aleutian Islands District Pacific Cod Management Plan.

**DISCUSSION:** The board deferred this to its January 2006 meeting.

**MISCELLANEOUS BUSINESS**

**Board finding on subsistence salmon fishing in Prince William Sound (2005-244-FB)** The board adopted a finding that recognizes department emergency order authority to open subsistence fishing. It asked that the department exercise that authority during periods of extended commercial salmon fishing closures to ensure that reasonable opportunity for subsistence fishing is provided in the Southwestern District; the waters along the northwestern shore of Green Island from the westernmost tip of the island to the northernmost tip of the island; and the waters north of a line from Porcupine Point to Granite Point and south of a line from Point Lowe to Tongue Point.



ALASKA BOARD OF FISHERIES  
FINDINGS ON COPPER RIVER KING SALMON MANAGEMENT PLAN  
# 2006-249-FB

May 3, 2006

In December 2005 the Board of Fisheries amended and adopted proposal 52 which established one mandatory commercial fishing closure within the inside statistical areas of the Copper River District during each statistical week 20 and 21. The initial proposal requested that only one 12-hour opening be allowed within the inside statistical areas during each of the first three statistical weeks (20, 21, and 22). Several amendments were made to the original proposal during deliberations to reduce impacts on the commercial fishery, provide for Copper River District subsistence users and small boat users who fish within the inside statistical area, and allow the Department some flexibility in management while still providing additional fish for the upriver subsistence users. The Board was uncertain of the exact effects of the proposal as modified, but discussed the expectation of significant increases in early run king salmon escapement and the possibility of increasing sockeye escapement.

Background

At its 1996 Copper River/Prince William Sound meeting, the Board adopted the Copper River King Salmon Management Plan 5 AAC 24.361. This initial version of the plan mandated a 5 percent reduction in king salmon harvest potential across the commercial, personal use, and sport fisheries. This was attempted through potential closures of the inside statistical areas during statistical week 20 and 21 with consideration of the tides and other environmental factors, reducing the personal use bag limit from 5 to 4 king salmon, and prohibiting sport fish guiding on Tuesdays in the Copper River drainage from May 15 to July 31.

In 1999, the plan was amended to allow additional inside closures in the commercial fishery during statistical weeks 20, 21, and 22, remove the personal use component as the Chitina Subdistrict was classified a subsistence fishery during that meeting, and eliminate the guiding restriction, but reduce the seasonal sport bag limit from 5 to 4 king salmon. A spawning escapement range of 28,000 – 55,000 king salmon was established. In addition, when the Board made the Chitina Subdistrict dip net fishery a subsistence fishery the annual bag limit was reduced from 4 to 1 king salmon.

In 2003, the plan was again amended and established a sustainable escapement goal (SEG) of 24,000 king salmon or more which replaced the spawning escapement range.

Since the 2000 season, king salmon escapement goals have been included within the plan. During this period, the escapement goal for king salmon has been met three of the past six years, once under the spawning escapement range of 28,000 – 55,000 king salmon from 2000 – 2002 and twice under the SEG of 24,000 king salmon or more from 2003 – 2005. At the time of the Board adoption of proposal 52, the 2005 escapement data was preliminary, but staff reported that the goal would likely not be met in 2005.

Since 2000, commercial, sport, and personal use harvests of king salmon have generally declined, primarily a result of regulatory actions. At least one inside closure was instituted during each year from 2000 – 2003 and emergency orders restricting the upper Copper River sport fishery occurred in 2000 and 2005. The annual limit in the Chitina Subdistrict has remained at one king salmon since the Board adopted that limit to maintain harvests at historic levels when the fishery became a subsistence fishery; this limit was retained when the fishery once again a personal use fishery in 2003.

Sockeye salmon escapement goals as measured at the Miles Lake sonar have been met all but one year since 1996. The commercial fishery is managed to distribute the escapement throughout the duration of the run, yet due to run strength and environmental factors this is inherently difficult, and in some years while the total escapement goal may have been met, portions of the run may not have met the daily escapement goal. This could result in lower numbers in any portion of the Copper River run.

Public testimony and comments of some panel members during Committee C discussions indicated that those subsistence users fishing above the Gulkana River have seen reduced returns of king and sockeye salmon (primarily king salmon) and that subsistence needs had not been met in recent years. Sport anglers and personal use fishers also stated that king salmon numbers had declined. All upriver users agreed that there was a need to protect the early run component of the upper Copper River stocks and that the commercial fishery had high harvest potential during the first weeks of the season. Commercial fishers were concerned that the Department would lose flexibility in its management tools and that the current management tools were sufficient to manage for king salmon escapement and provide for early stocks. Committee C did not reach consensus on proposal 52.

#### Board Action

The Board brought the proposal to the table and following discussion and questions of staff regarding escapement levels and escapement goals adopted the first amendment which reduced the original proposal request of a mandatory closure during each of the first three statistical weeks to the first two statistical weeks (20 & 21). The amendment was adopted with a vote of 5/1. The Board discussed subsistence opportunity in the Copper River District, as this occurs at the same time as the commercial fishery with small skiffs within the inside statistical area closest to Cordova. A second amendment which defined the inside statistical areas that could be closed and excluded that area closest to Cordova used for subsistence fishing was adopted by a 5/1 vote. The Board then discussed the 12-hour inside opening limit and the management implications for Department staff. Staff responded that the 12-hour limit would provide less flexibility to respond to environmental conditions and run strength. An amendment to change the proposal language to one period within each of statistical weeks 20 and 21 for a inside statistical closure and remove the 12-hour limit was adopted by a vote of 4/2. The Board felt that the amended proposal was a compromise from the original proposal and would provide for additional fish for subsistence opportunity upriver and spawning escapement

and allow for subsistence opportunity in the Copper River District, while providing the Department some flexibility in its management.

Several Board members applied the Board's allocation criteria although there was disagreement among Board members about whether the criteria were applicable since the Board viewed the measure as providing for conservation and allowing users to harvest their existing allocations. The Board did not intend to change existing allocations to user groups, and rejected several proposals asking the Board to increase or restore prior more liberal bag limits and seasons.

The Board discussion of the allocation criteria under 5 AAC 39.205 addressed all seven allocation criteria:

- 1) On the first criteria, history of the fisheries, it was noted that all users have a long history of use of this Copper River resource, and that recent innovations in techniques have increased harvest rates significantly in some user groups.
- 2) On the second criteria, numbers of participants, it was noted that there are approximately 500 commercial users and thousands of upstream users, including residents of the North Star Borough and residents of communities throughout the river drainage. Additionally, residents from all over Alaska sport and subsistence fish on the Copper River.
- 3) On the third criteria, importance of each fishery for providing residents the opportunity to obtain fish for personal and family consumption, it was noted that both fisheries were important because some people retain commercially caught fish for personal consumption, but that many people did harvest fish in the personal use and subsistence fishery for consumption.
- 4) On the fourth criteria, availability of alternative fishery resources, it was noted that commercial fishermen displaced by an inside closure could move outside the closure area and still have reasonable opportunity to harvest fish. It was also noted that other stocks of fish were available to the commercial fishery over the season and that while that other stocks of salmon might be available to Interior users they were not of comparable quality and could not be efficiently accessed, such as Chinook in the lower Yukon or sockeye near Chignik.
- 5) On the fifth criteria, importance to the economy of the state, it was noted that commercial fishery was of great economic importance to the state and has long been established as major employer of Alaskans, creating seasonal cash flow to local coastal communities. It was also noted that the tourism industry multiplies the value of fish beyond its value in the commercial fishery. Copper River salmon have high economic value for sport fishing, tourism, commercial, and subsistence uses for the people of Alaska.
- 6) On the sixth criteria, importance to the economy of the region and local area, it was noted that that fishery is very important to Cordova but that the numbers of early run fish involved in proposal would be only a small percentage of the stock available. It was also noted that the fish were important to the tourism based economy of the upstream areas. For communities like Chitina, Copper Center, Glennallen, Delta Junction, North Pole, and Fairbanks, the Copper River Chinook and sockeye are the only source for sport fishing and related tourism industries.

7) On the seventh criteria, the importance of each fishery in providing recreational opportunities for residents and nonresidents, it was noted that the upstream fishery is very important in providing recreational opportunities. The Copper River salmon stocks provide opportunities for all communities along the river, including a growing recreational and sport fish guiding industry in the Cordova area

After deliberation the Board adopted proposal 52 as amended by the vote of 5/1.



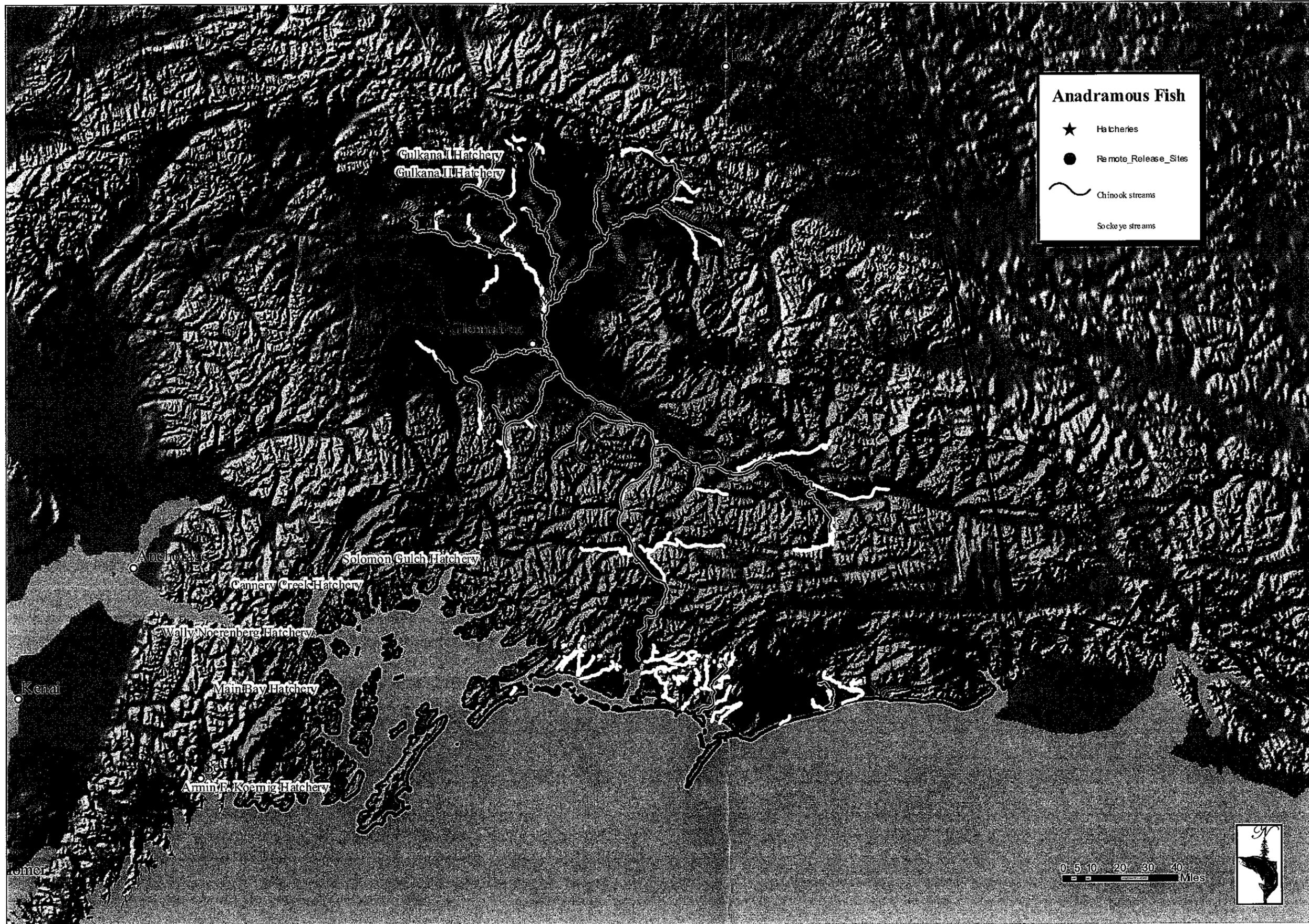
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Art Nelson, Chairman  
Board of Fisheries

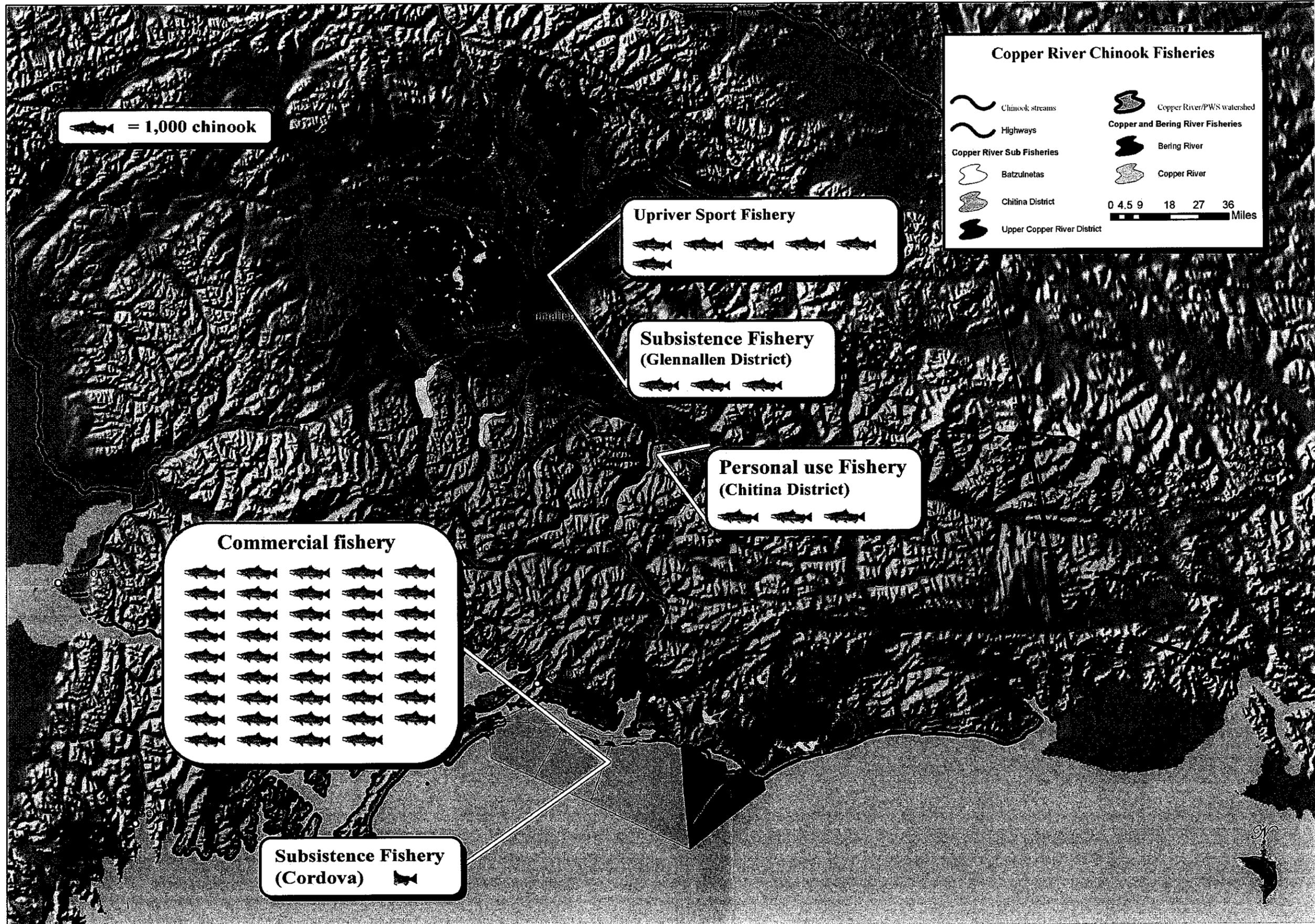
Approved: Carried ( 6 / 0 / 0 / 1 ) (Yes/No/Abstain/Absent)

Date: May 3, 2006

Location: Teleconference

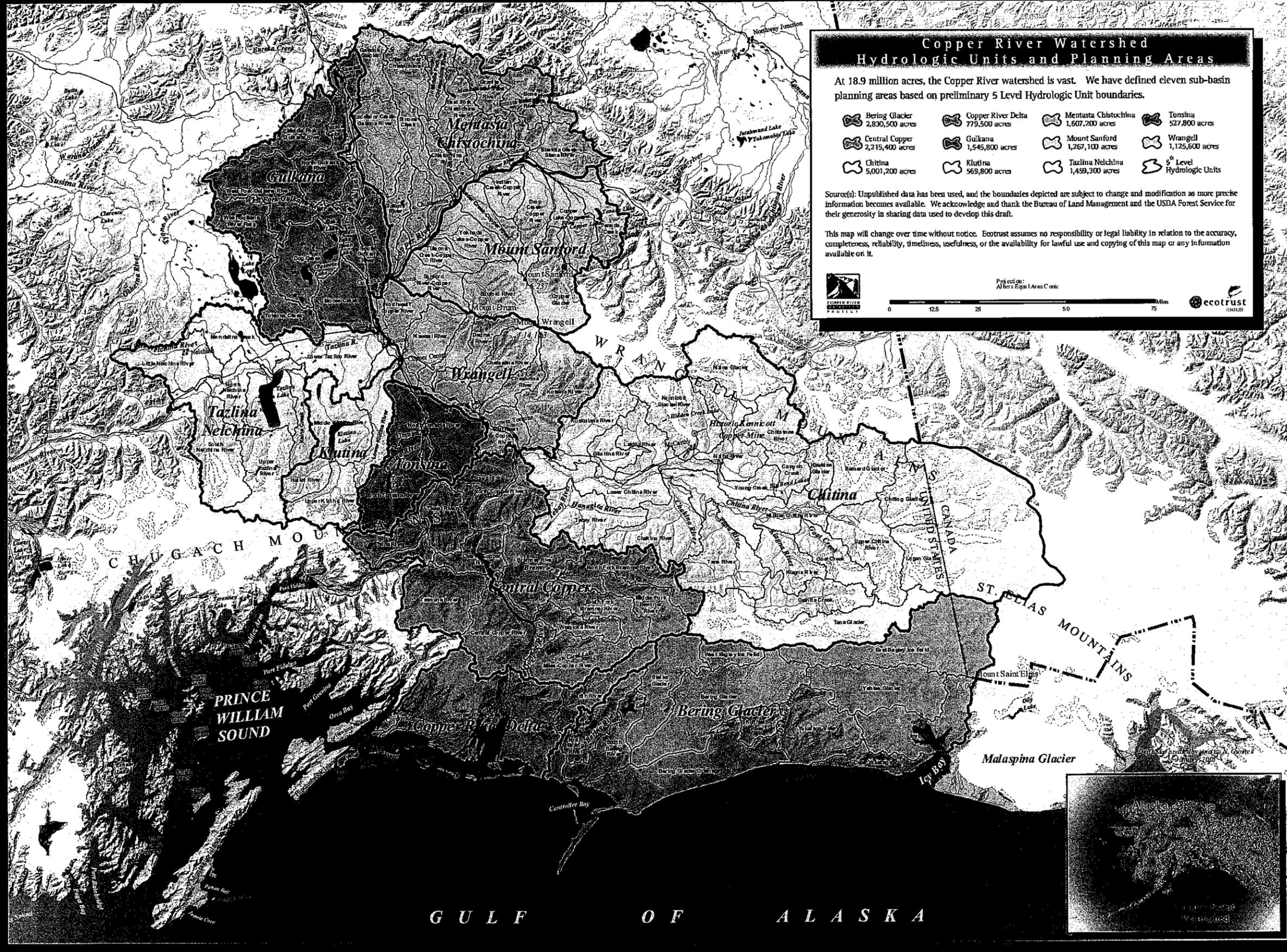


# Copper River Knowledge Systems Headwaters to Oceans





# C O P P E R R I V E R K N O W L E D G E S Y S T E M S



### Copper River Watershed Hydrologic Units and Planning Areas

At 18.9 million acres, the Copper River watershed is vast. We have defined eleven sub-basin planning areas based on preliminary 5 Level Hydrologic Unit boundaries.

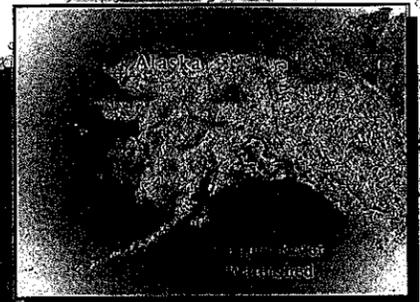
Bering Glacier 2,830,500 acres	Copper River Delta 779,500 acres	Mentasta Chitochina 1,607,200 acres	Tonsina 527,800 acres
Central Copper 2,215,400 acres	Gulkana 1,545,800 acres	Mount Sanford 1,267,100 acres	Wrangell 1,125,600 acres
Chitina 5,001,200 acres	Klutna 569,800 acres	Tazlina Nelchina 1,459,300 acres	5 <sup>th</sup> Level Hydrologic Units

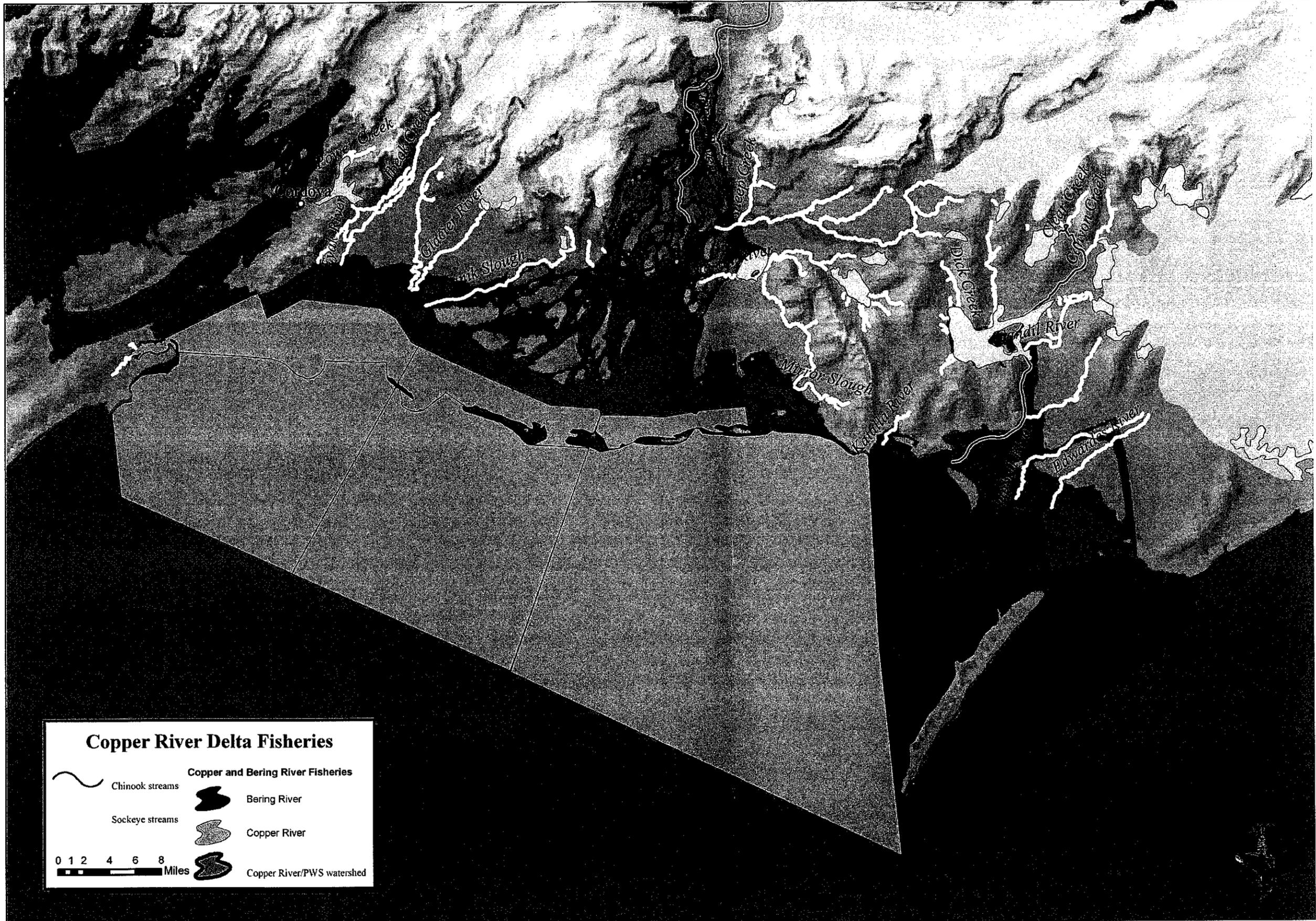
Source(s): Unpublished data has been used, and the boundaries depicted are subject to change and modification as more precise information becomes available. We acknowledge and thank the Bureau of Land Management and the USDA Forest Service for their generosity in sharing data used to develop this draft.

This map will change over time without notice. Ecotrust assumes no responsibility or legal liability in relation to the accuracy, completeness, reliability, timeliness, usefulness, or the availability for lawful use and copying of this map or any information available on it.

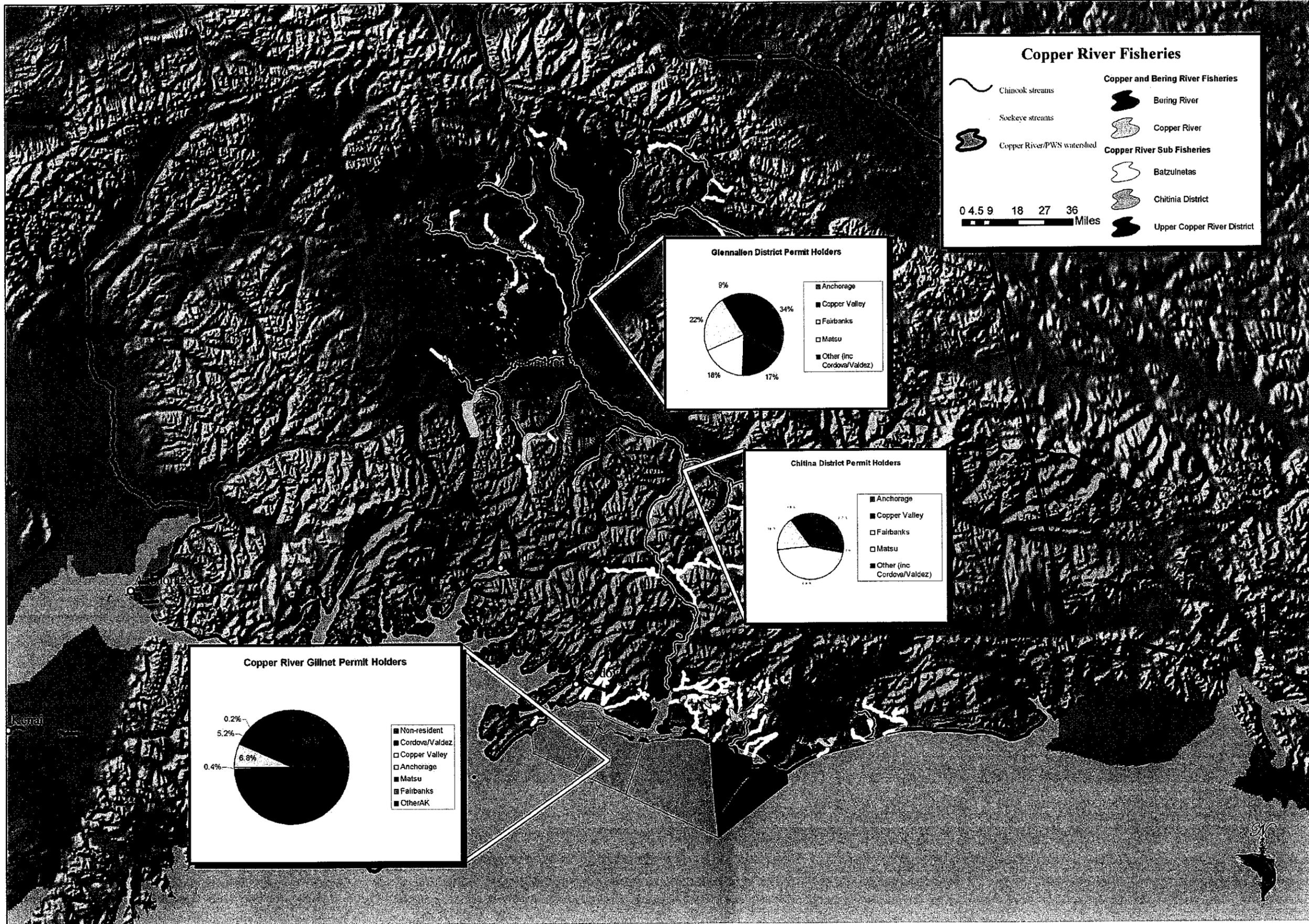
Project on:  
Alber's Equi Area Cont.

0 12.5 25 50 75 Miles



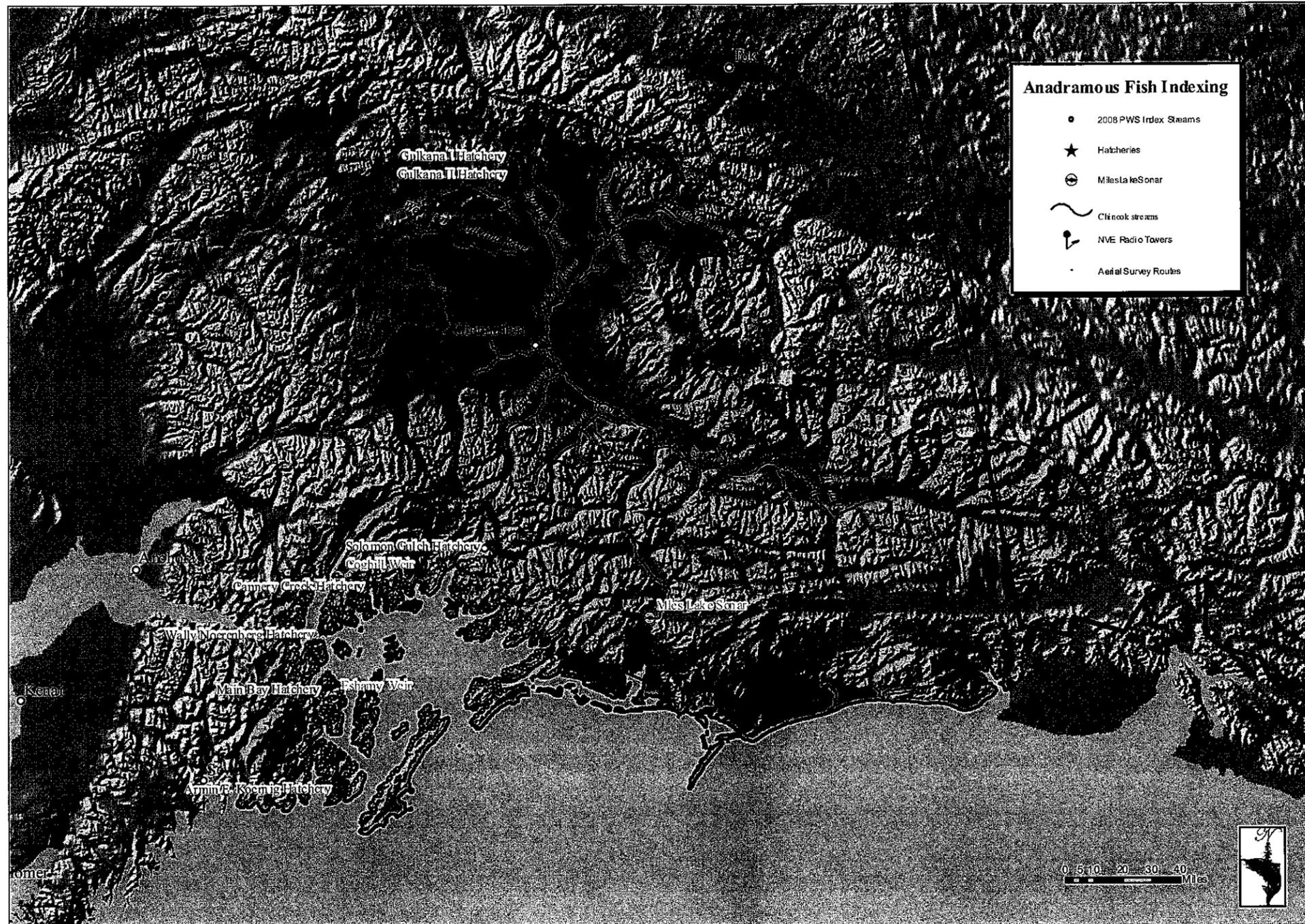


# Copper River Knowledge Systems Headwaters to Oceans

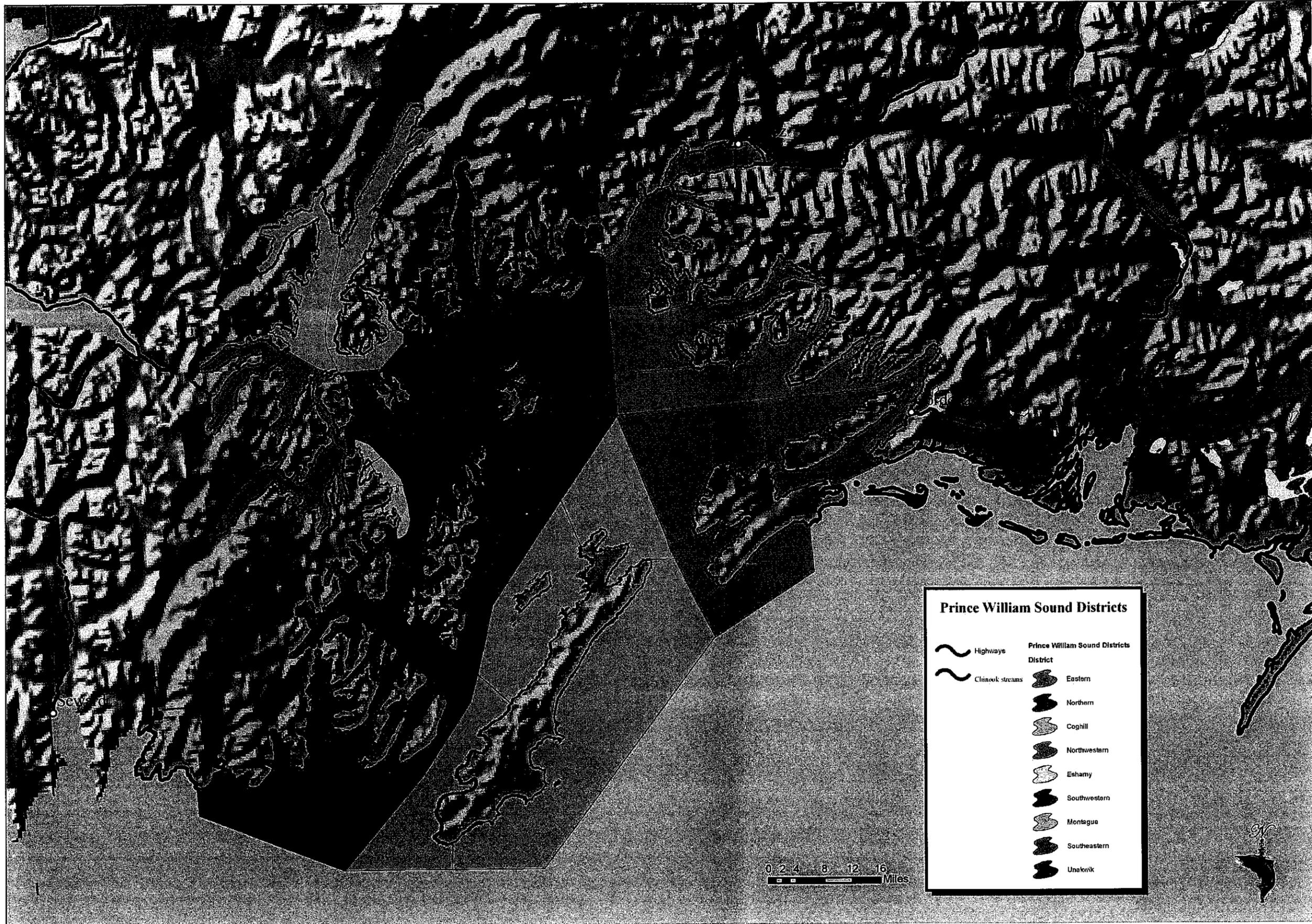




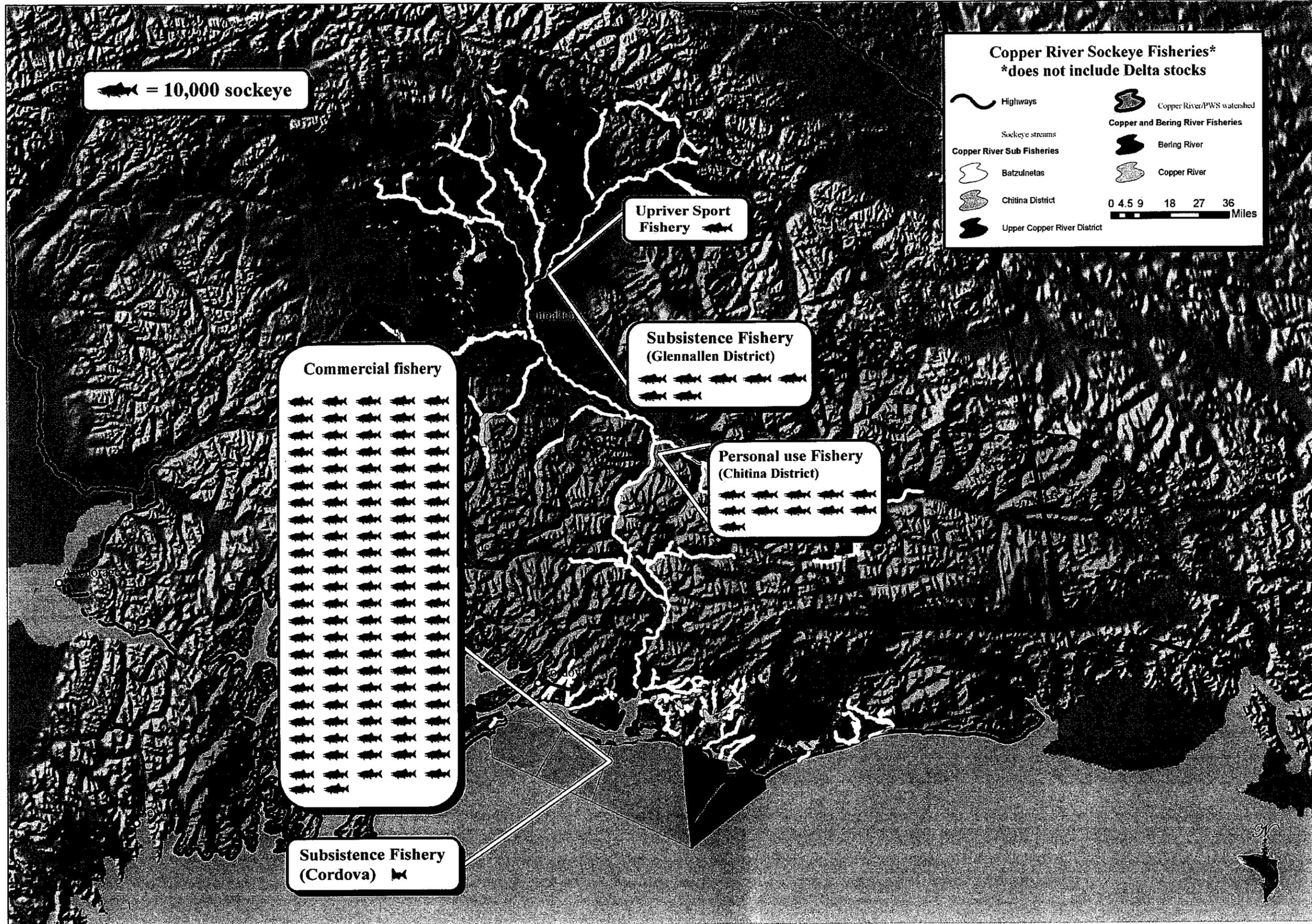
# Copper River Knowledge Systems Headwaters to Oceans



# Copper River Knowledge Systems Headwaters to Oceans



# Copper River Knowledge Systems Headwaters to Oceans



**Committee D**  
**Prince William Sound and Copper River Sport Fisheries:**  
**Deliberation Materials for Proposals 87 - 103**

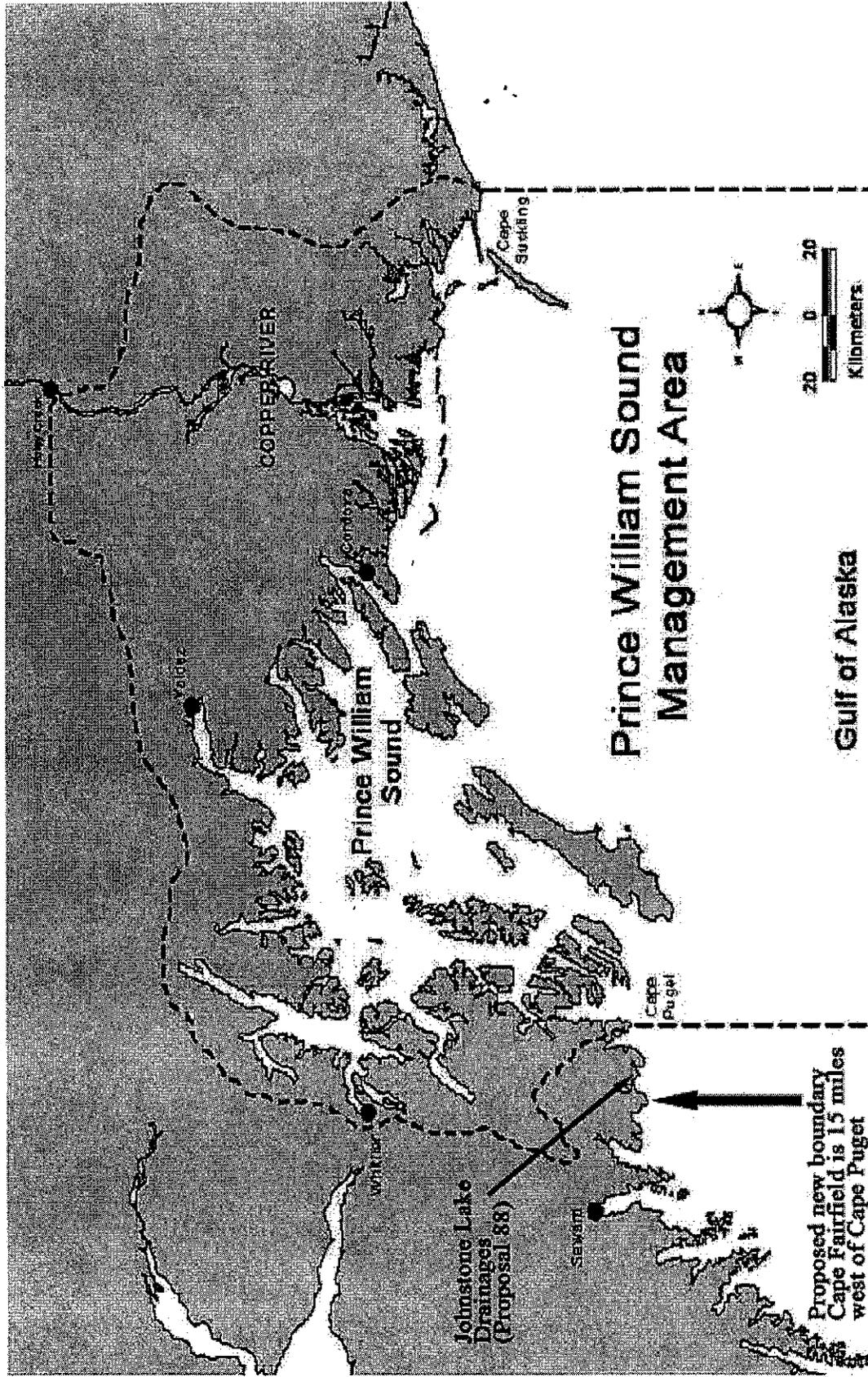


**Division of Sport Fish**

**Region II**

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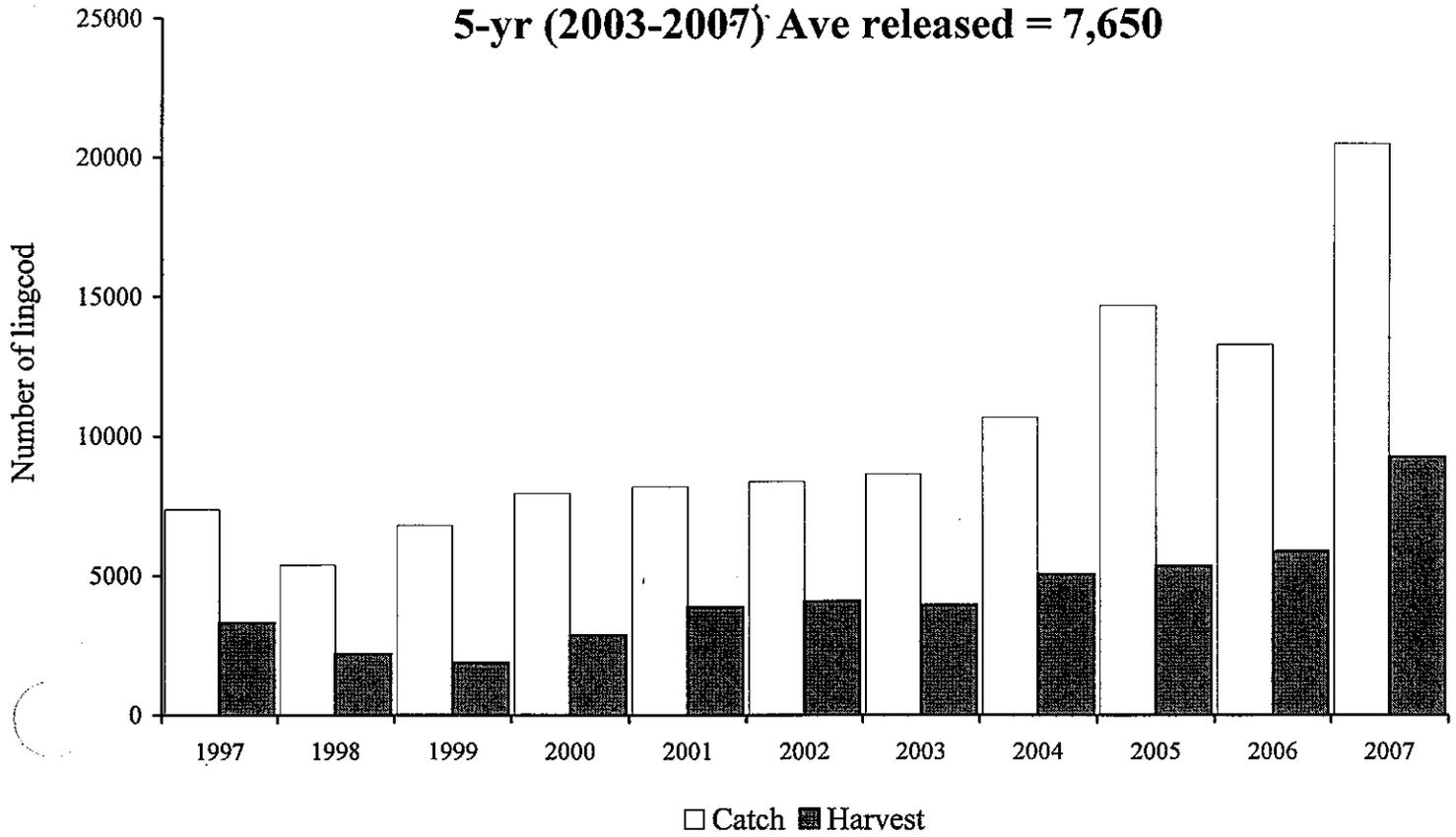
Proposal 87, 88 and 92	Sport Fish Boundary Change	Page 1
Propodal 90	Gaff and Release Lingcod	Page 2
Proposal 91	Salmon Sharks	Page 3
Proposal 92	Sport Fish Boundary Change - Rockfish	Page 4
Proposal 94	Charter Vessel Line Limits	Page 5
Proposal 95	Sport Fishing Gear Definition	Page 6
Proposal 98, 99	Whittier Terminal Harvest Area Boundary	Page 7
Proposal 100 - 102	Copper River Delta Coho Salmon Fishing	Page 8
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Proposal 100 - 101	Copper River Delta Coho Salmon Fishing	Page 10
Proposal 100 - 103	Copper River Delta Coho Salmon Fishing	Page 11



# Proposal 90

## Catch & Harvest of Lingcod by Sport Fisheries

5-yr (2003-2007) Ave released = 7,650



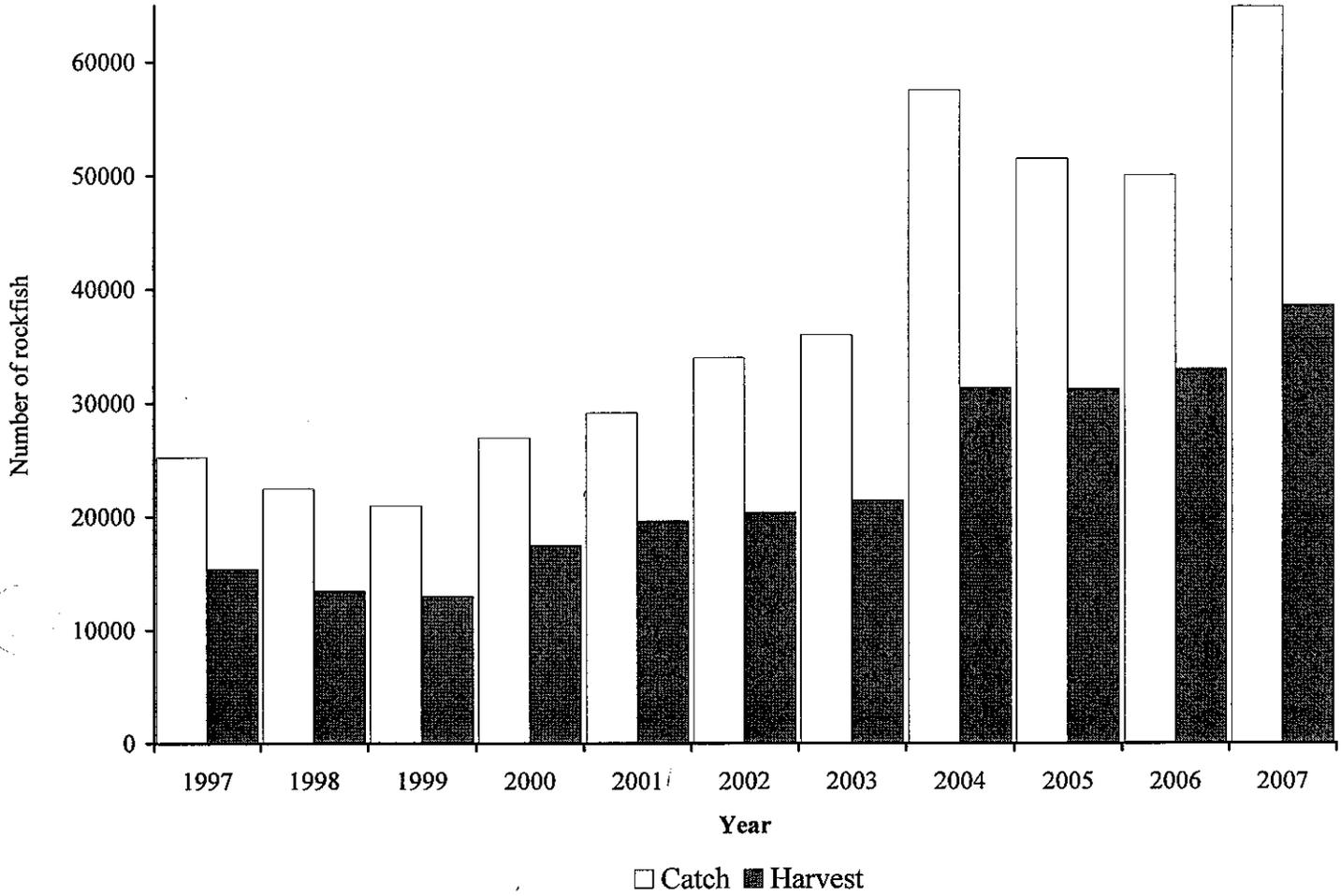
**Proposal 91**

**Prince William Sound Charter vessels harvesting salmon sharks 2005 - 2007 (saltwater charter vessel log book data).**

<b>Charter Vessels</b>						
<b>Year</b>	<b>Harvesting &gt; 1 Salmon Shark all Year</b>	<b>Total Trips Harvesting Salmon Sharks</b>	<b>Total Salmon Sharks Harvested</b>	<b>Number Sharks Saved by year by proposal 91</b>	<b>Percent Reduction in Harvest</b>	
2005	15	66	160	49	31%	
2006	16	99	201	49	24%	
2007	19	80	172	46	27%	

# Proposal 92

## Rockfish catch & harvest, Prince William Sound Management Area 1997-2007



**Charter Vessel Line Limits**

Number of Active Charter vessels fishing in Prince William Sound and the number of trips with more than 6 lines (clients fishing) in the water for 2005, 2006, and 2007 (saltwater charter vessel log book data).

Year	Total Active Vessels	# Active Vessels w/ > 6 lines	Total # Trips	# Trips w/ >6 lines	Percent Trip using > 6 lines
2005	171	76	5,048	1,365	27%
2006	188	58	4,988	1,076	22%
2007	190	41	5,344	1,248	23%

## Proposal 95

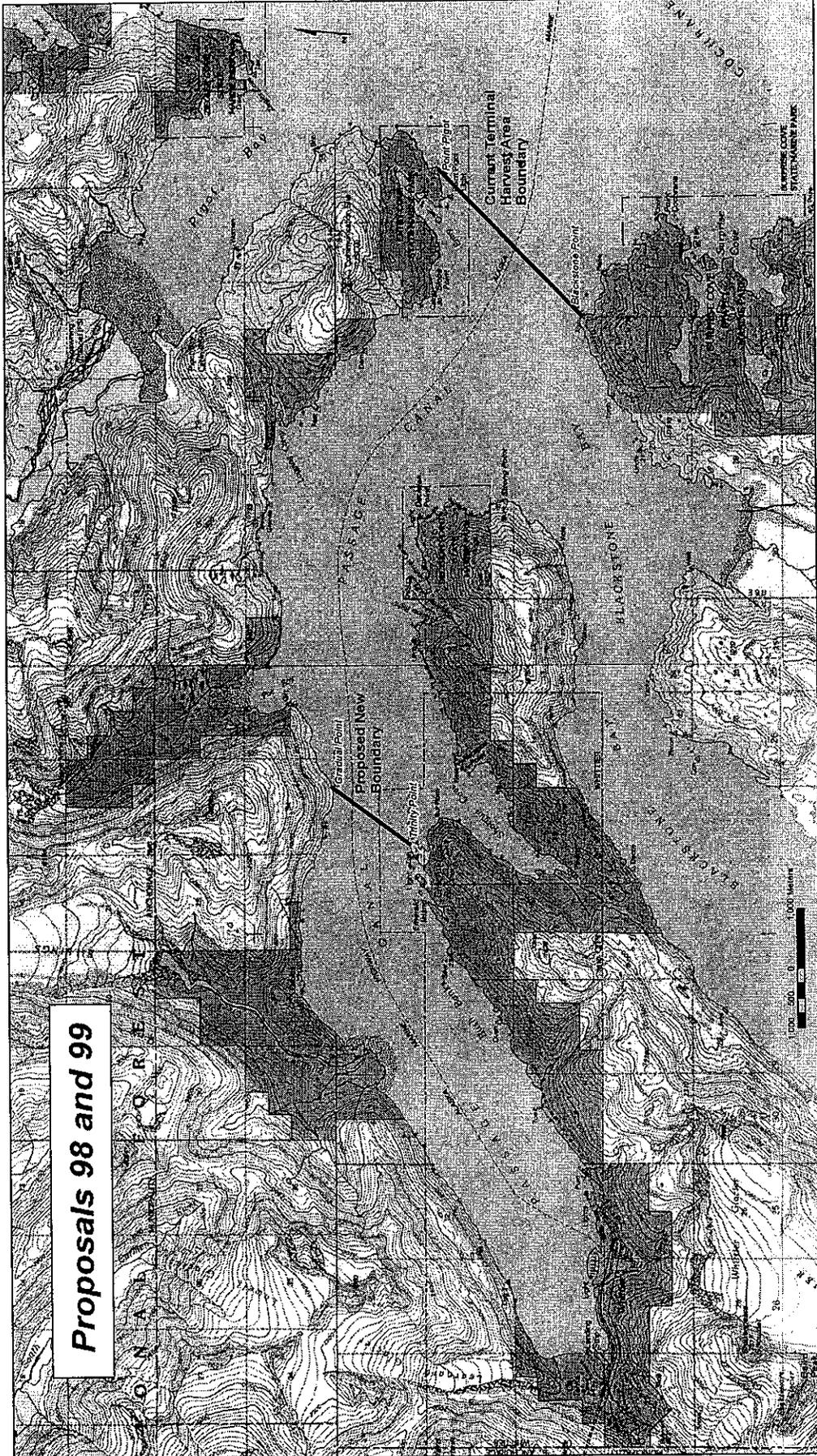
### Species Gear Definition

Harvest of "Other Fish" compared to halibut, rockfish and lingcod (SWHS).

Year	Other Fish*	Halibut	Rockfish	Lingcod
1997	2,500	27,322	15,403	3,310
1998	4,943	23,343	13,451	2,186
1999	2,247	26,711	12,996	1,873
2000	8,020	30,089	17,476	2,856
2001	12,947	32,638	19,608	3,867
2002	1,070	33,915	20,348	4,070
2003	4,325	38,789	21,405	3,933
2004	3,623	54,031	31,327	5,049
2005	3,086	49,882	31,224	5,348
2006	481	47,223	32,958	5,868
2007	1,003	69,623	38,606	9,262
<b>Average</b>	<b>4,022</b>	<b>39,415</b>	<b>23,164</b>	<b>4,329</b>

\*Write in names for other saltwater species in PWS, 2002 -2007 (SWHS).

1 SOLE & 1 FLOUNDER	HERRING	SEA BASS
4 GAL MUSSELS	IRISH LORDS	SHARK AND RAY
8" UNKNOWN	JELLY FISH	SKATES
AK RONQUIL	JOLLY FISH	SMELT
ARROW FLOUNDER	KC AND TC JUVENILES	SNAILS
ARROW HEAD	KELP COD	SNAPPER
ARROW TOOTH	KELP FISH	SOLE
ATKA MACKERAL	KELP GREENLING	SPINY DOG FISH
BABY SALMON	KING SALMON	SQUID
BASS	KINGS	STAR FISH
BIG RAY	FLOUNDERS	STARRY FLOUNDER
BLACK BASS	ROCK/BLACK ROCK	STEELHEAD
BLACK ROCKFISH	LITTLE CRABS MAYBE SNOW	STINGRAY
BLACK SEA BASS	MACKERAL	TOMCOOL
BLANK	MUSSELS	UGLY BROWN FISH
BURBOT	NOT SPECIFIED	UNKNOWN
CANARY ROCKFISH	OCEAN BASS	WHITEFISH
CHINA ROCKFISH	OCTOPUS	WOLF EEL
COD	PACIFIC COD	WOLF FISH
CRAB	QUILL BACKS	WOLFFISH GREENLING
DOG FISH	RED SNAPPER	YELLOW EYE
FLAT FISH	ROCK BASS	YELLOW EYE
FLOUNDER	ROCK COD	GREENLING AND SOLE
FLOUNDER/KELP COD	ROCK SOLE	HALIBUT
GOLDEN EYE	ROCKFISH	SALMON SHARK
GRAY COD	ROCKFISH (RED)	SCULPINS
ARROW TOOTH FLOUNDER	SABLEFISH	
GREENLING	SALMON	

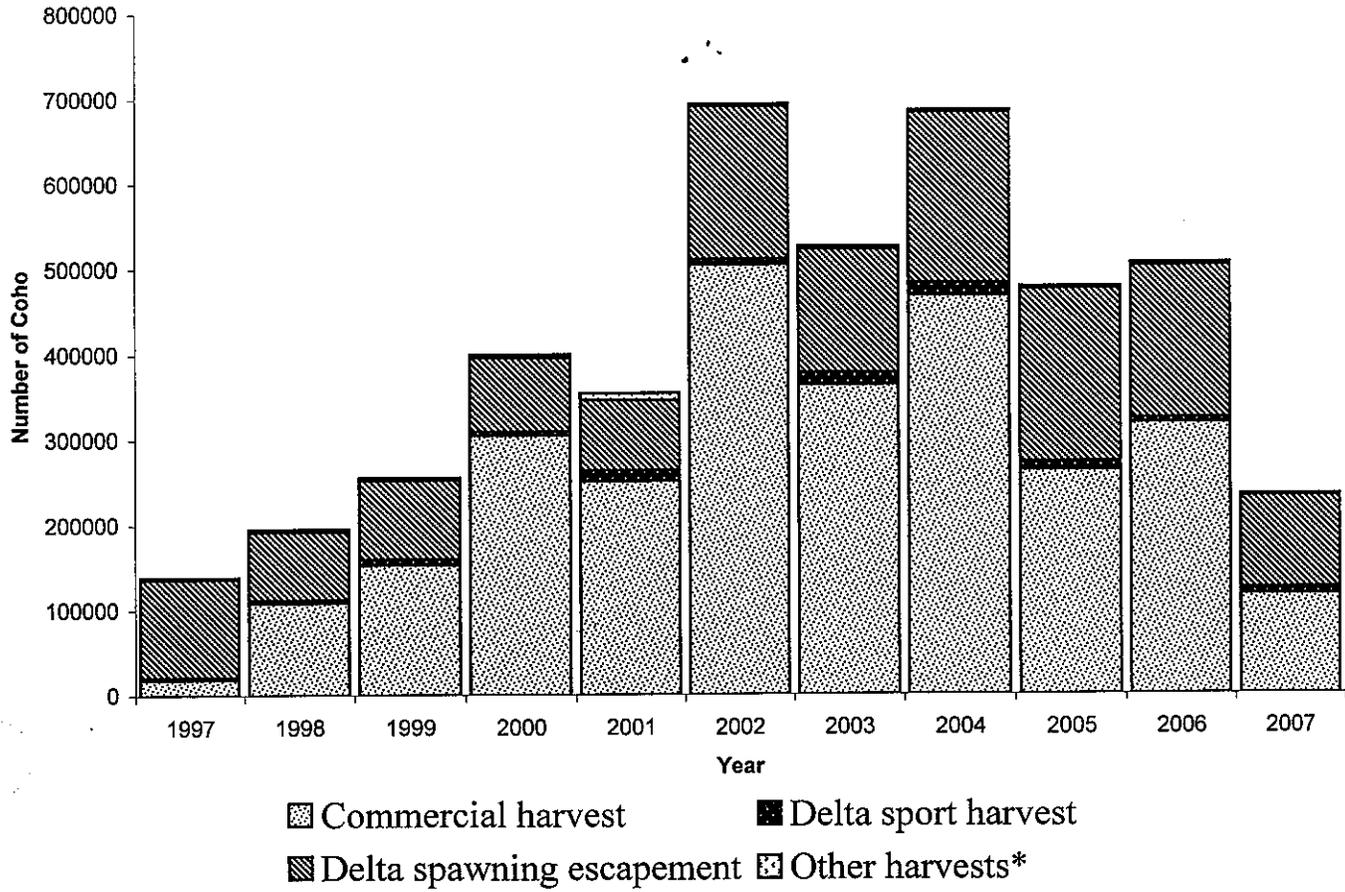


**Proposals 98 and 99**



# Proposals 100 - 103

## Total coho salmon statistics for the Copper River Delta



## Proposals 100 101

**Proposal 100:** Closes Ibeck Creek to coho salmon fishing from the Copper River Highway team for 2 miles (SWHS).

<b>Ibeck Creek Harvest</b>	<b>Coho salmon Harvest</b>	<b>Coho Salmon Aerial Index</b>	<b>Sockeye Salmon</b>	<b>Pink Salmon</b>	<b>Chum Salmon</b>	<b>King Salmon</b>	<b>Dolly Varden</b>	<b>Cutthroat Trout</b>
1997	0	4,700	0	0	0	0	0	0
1998		1,500						
1999		4,600						
2000		7,000						
2001	462	14,000	37	0	0	0	0	0
2002	297	23,900	0	0	0	0	0	0
2003	3,318	26,000	0	0	0	0	248	0
2004	135	32,000	0	0	0	0	61	0
2005	2,437	34,900	0	0	0	0	20	0
2006	913	36,300	0	0	0	0	0	0
2007	927	13,020	0	0	0	64	50	0
10-yr Ave	1,213	19,322	5	0	0	9	54	0
5-yr Ave	1,546	28,444	0	0	0	13	76	0

**Proposal 101:** Closes 18-Mile Creek 500 yards upstream of Alaganik Slough (SWHS).

### 18-mile Slough

<b>Year</b>	<b>Coho salmon Harvest</b>	<b>Coho Salmon Aerial Index</b>
1997	0	3,300
1998		1,300
1999		610
2000	63	420
2001		420
2002	27	1,450
2003	0	205
2004	0	1,560
2005	89	610
2006	37	740
2007		550
10-yr Ave	36	787

### Alaganik Slough

<b>Year</b>	<b>Coho salmon Harvest</b>
1997	789
1998	340
1999	1,240
2000	1,024
2001	1,565
2002	663
2003	1,708
2004	3,843
2005	1,777
2006	1,236
2007	1,052
10-yr Ave	1,445

**Copper River Delta and Bering River coho salmon escapement indices, 1997 - 2007.**

Stream/Lake <sup>a,b</sup>	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	10-yr Average	2007
Eyak Lake	6,800	2,550	1,250	2,130	7,800	17,425	10,050	12,700	2,812	1,940	6,546	5,810
Hatchery Creek	1,400	1,200	300	1,900	450	1,400	0	1,450	0	160	826	710
Power Creek	2,700	4,900	2,700	1,450	480	2,000	1,500	500	40	360	1,663	800
Ibeck Creek	4,700	1,500	4,600	7,000	14,000	23,900	26,000	32,000	34,900	36,300	18,490	13,200
Scott & Elsnor River <sup>c</sup>	2,200	750	2,500	300	600	2,400	125	475	1,400	200	1,095	1,520
18/20 Mile	3,300	1,300	610	420	420	1,450	205	1,560	610	740	1,062	550
McKinley Lake	1,100	400	50	120	800	2,200	0	275	140	1,400	649	280
Salmon Creek	2,500	2,100	3,080	2,600	200	1,100	725	6,100	2,250	200	2,086	150
26/27 Mile	2,300	700	2,610	1,000	400	240	275	850	820	60	926	480
39 Mile	6,100	2,100	3,650	5,000	1,800	4,500	1,250	3,120	9,900	4,400	4,182	3,300
Goat Mountain	1,400	800	650	430	330	160	125	450	4,500	3,100	1,195	1,400
Pleasant Creek <sup>c</sup>	620	450	1,220	45	210	0	2,000	3,950	3,790	7,030	1,932	500
Martin River	NC <sup>d</sup>	6,250	3,900	4,500	3,755	13,325	10,200	11,600	1,050	9,100	7,076	8,830
Ragged Point River/Lake	80	850	275	330	440	3,400	375	575	650	360	734	260
Martin Lake	NC <sup>d</sup>	300	600	1,350	311	1,850	6,300	4,475	24,100	2,900	4,687	4,775
Pothole Lake	60	1,500	600	245	390	3,400	4,000	500	140	120	1,096	870
Little Martin Lake	10,500	3,800	3,600	3,000	3,010	500	1,000	7,900	2,100	7,500	4,291	2,700
Tokun River/Lake	1,300	2,000	1,130	710	1,600	540	550	1,750	2,030	700	1,231	830
Martin River Slough	10,500	6,400	12,900	10,600	4,100	10,025	7,500	9,750	9,850	12,700	9,433	5,770
<b>Copper River Delta Total</b>	<b>57,560</b>	<b>39,850</b>	<b>46,225</b>	<b>43,130</b>	<b>- 41,096</b>	<b>89,815</b>	<b>72,180</b>	<b>99,980</b>	<b>101,082</b>	<b>89,270</b>	<b>68,019</b>	<b>52,735</b>
Katalla River	8,000	5,100	3,000	2,800	2,900	5,000	10,000	6,500	12,100	8,900	6,430	5,510
Bering Lake	14,800	14,300	13,800	10,370	21,040	15,375	13,750	10,125	15,040	13,052	14,165	4,910
Dick Creek	1,300	0	1,270	2,500	760	1,700	2,050	2,750	362	1,660	1,435	530
Shepherd Creek	NC <sup>d</sup>	NC <sup>d</sup>	200	450	300	675	700	1,125	100	60	451	130
Nichawak River	4,300	2,500	4,800	4,300	1,300	1,420	900	1,475	6,900	3,200	3,110	11,900
Gandil River	1,900	950	3,000	600	900	330	900	2,000	4,450	640	1,567	2,650
Controller Bay	12,100	6,900	5,220	5,360	2,807	9,700	4,175	6,210	5,590	5,680	6,374	7,332
<b>Bering River Area Total</b>	<b>42,400</b>	<b>29,750</b>	<b>31,290</b>	<b>26,380</b>	<b>30,007</b>	<b>34,200</b>	<b>32,475</b>	<b>30,185</b>	<b>44,542</b>	<b>33,192</b>	<b>33,442</b>	<b>32,962</b>
<b>Copper/Bering Total</b>	<b>99,960</b>	<b>69,600</b>	<b>77,515</b>	<b>69,510</b>	<b>71,103</b>	<b>124,015</b>	<b>104,655</b>	<b>130,165</b>	<b>145,624</b>	<b>122,462</b>	<b>101,461</b>	<b>85,697</b>

<sup>a</sup> The escapement figures in this table are based on peak aerial survey estimates counts from a majority of the known salmon spawning areas in the Copper and Bering River Delta. These indices are not

<sup>b</sup> The areas in this table represent combined survey sites corresponding to the "system" designations for the current year survey results presented elsewhere in this report.

<sup>c</sup> Not an indexed stream.

<sup>d</sup> Due poor stream or weather conditions these systems are listed as "NC" no count.

**Peak Aerial Indices**  
**Copper River Delta SEG for Coho**  
**32,000 - 67,000**

RC 34

Members of the Board, Please refer to A. C. # 8 coments,

Thank you for coming to Cordova. Some of you are new to our area and the real or perceived problems associated with our fisheries. Please when considering changes favoring one group or another remember these resources are fully allocated. Any significant change will have a severe impact on the economy of Cordova. Regarding proposal 128 this would reallocate much more than the 5000 fish past the sonar. There would also be 6-12 days of fish between the commercial fishery and the sonar. Remember at best the commercial fleet fishes for 24 out of 168 hours per week. These early periods are an indicator of abundance, if we catch fish we can continue on a regular schedule. If we don't catch fish we are restricted by time and area including inside closers more than 2 if the department feels it is necessary. The date of the first opener is set at the salmon harvest task force taking into consideration weather, break-up, and tides.

The salmon fisheries are of vital importance to Cordova. Increased effort, harvest reallocation, or priority status changes leave only one group to share the conservation burden. This scenario played out in the 2008 chinook harvest with a 75% reduction in commercial harvest and an increase of 7% in some up-river harvests. 2008 was the worst season I can remember since extended closers in the 70,s I have yet to here that from dip-netters or sport fishermen.

The Exxon Valdez oil spill in 1989 changed the nature of commercial fishing in Prince William Sound. The economic shock waves continue, even to the present day. Not only have fishermen's incomes declined values of boats, permits, and equipment have decreased. While salmon fisheries have rebounded following the spill the historically important herring and crab fisheries have not recovered. Subsequently salmon, halibut, and blackcod represent an increasing portion of earnings for commercial fishermen of area E. The 343 permit holders that reside in Cordova make up 82% of all permit living within the area E region. 60% of our local work force is directly involved in the harvest, processing, and transportation of seafood of which salmon is the major component.

The C.R./P.W.S. Ac, believes that the management of the Copper River and Prince William Sound is generally working well. We feel strongly that revisiting the C. And <sup>Find</sup> for the Chitna subdistrict would be a mistake, there is no new information! There are ample opportunities for subsistence on the Copper River without creating new or expanded opportunity. The A.C. also feels that the department has most of the tools necessary to do its job of managing the salmon fisheries. We request support for proposal 132 which would return flexibility to the department. Without set closers the manager could tailor inside closers to fit the circumstances such as run-timing, river flow, and break-up. Some years there may have to be multiple closers, others may require 1 or 2, every year is different. The committee also feels 2 user groups have felt the pain of Chinook conservation commercial and personal use. Sport fish guides were to give up guiding on Tuesdays, instead they converted to outfitters so the rule was abandoned.

Our committee also submitted proposals 100 and 101. Proposal 100 concerns Ibe creek the most productive coho habitat on the west delta. We are concerned with increased activity on the Copper river delta. Spawning habitat on Ibe is O.R.V. accessible and unprotected. This proposal would not curtail current activity but would provide protection to essential coho habitat. 101 is slightly different 18 mile system is a road accessible system, the closer we propose was adjusted to leave as much opportunity for sports fishing while still protecting the spawning habitat. Ladies and gentlemen spawners are being removed from this system in ever increasing numbers. Please help us to protect coho habitat that the A.C. has identified as being in jeopardy.

The Copper River commercial fishery is a poster child for the rest of the state. Sustainability certification, quality programs, and direct marketing have made the Copper river fishery a success story unrivaled on the west coast. Leaving the Chitna subdistrict C. And T. The same, sharing the conservation burden on chinook and uniform realistic bag limits for subsistence would go along way towards stability for the Copper river.

*Prince William Sound*  
Now on to P.W.S.. Proposal 81's ambiguous language is confusing. The first statement wants to reduce chum production to 24% of year 2000 levels, while the next statement says to reduce production of chum by 24%. The history given at the board meeting in Fairbanks was incomplete. The hatchery operators statewide agreed to major concessions in the negotiations that occurred. The hatcheries had permits for 10's of millions more chum they offset the potential reduction by giving up already permitted production

Ladies and gentlemen of the board myself and many members of our committee have extensive history and knowledge of the Copper river and Prince William sound fisheries I will be available to serve on any committees I can thank you.

# STATE OF ALASKA

Department of Fish and Game  
Boards Support Section

Virgil Umphenour, Chairman  
2400 Davis Road  
Fairbanks AK 99701  
akhunt@ak.net

*RC35*

Fairbanks  
Fish and Game Advisory  
Committee

November 25, 2008

Dear Board of Fisheries Members,

Regarding **Proposal # 81**

The first sentence should read as follows:

"Reduce hatchery production **by** 24% of the year 2000 production."

This word change from "**to**" to "**by**" is important to the meaning of the proposal and what it asks for.

Upon reviewing the Department's comments, we also want to point out that **production** must be the number of eggs taken and not any of the other options such as fry produced.

Thank you for your consideration.



Virgil Umphenour  
Chairman, Fairbanks Advisory Committee

Alaska Board of Fisheries  
and  
Alaska Department of Fish and Game

*Joint Protocol on Salmon Enhancement*

#2002-FB-215

**Background:** In actions taken in January 2001 and June 2002 the Alaska Board of Fisheries stated its intent to institutionalize a public forum to bring a statewide perspective to issues associated with hatchery production of salmon. Accordingly, the department and board agreed to enter into this joint protocol to coordinate department and board interaction on certain aspects of salmon hatchery policy and regulation.

**Authorities:** The commissioner of the Department of Fish and Game has exclusive authority to issue permits for the construction and operation of salmon hatcheries. The Board of Fisheries has clear authority to regulate access to returning hatchery salmon and to amend, by regulation, the terms of the hatchery permit relating to the source and number of salmon eggs. The Board of Fisheries' authorities also include the harvest of fish by hatchery operators and the specific locations designated by the department for harvest (see AS 16.10.440(b) and Department of Law memorandum to the board dated November 6, 1997).

**Statement of Intent:** It is the intention of the commissioner of the Department of Fish and Game and the chairman of the Board of Fisheries that meetings be held on a regular basis wherein the department will update the board and the public on management, production, and research relating to Alaska's salmon enhancement program

**Protocol:** The joint department-board meeting on hatchery described here will take place at a mutually agreeable time and place during regularly scheduled meetings of the board. The meetings will provide a forum for open discussion on a mutually agreed upon agenda of hatchery topics. The agenda may include site-specific as well as regional or statewide hatchery issues. These salmon enhancement meetings will not be open for regulatory actions and no hatchery-related petitions or agenda change requests (ACRs) will be considered as action items. These meetings are open to the public. At its discretion and upon appropriate notice, the board may open the meeting to public comment.

The hatchery meetings will provide an opportunity for the board and the public to receive reports from the department on hatchery issues including: production trends, management issues, updates on hatchery planning efforts, wild and hatchery stock interactions, biological considerations, and research. Requests for report from the department may be made during the board's work session during meeting years when there is a hatchery forum scheduled.

As appropriate, the board and department may agree to invite other state and federal agencies, professional societies, scientists, or industry spokespersons to attend and to contribute information on particular topics, or sponsor other discussions, such as marketing or intrastate effects.

Dated: June 28, 2002



Ed Dersham, Chairman  
Alaska Board of Fisheries

 7.3.02

Frank Rue, Commissioner  
Alaska Department of Fish and Game

### EGGTAKES

Species	2000		2001		2002		2003		2004		2005		2006		2007		Grand Total
Chinook	124,818	86,120	147,098	156,545	181,600	208,673	347,101	208,712	1,460,667								
Chum	30,577,000	27,700,188	25,940,633	28,984,532	25,331,732	21,638,328	29,206,979	27,942,625	217,322,017								
Coho	2,629,863	2,403,656	2,539,171	2,430,713	2,346,031	2,190,627	2,476,151	2,252,022	19,268,234								
Pink	178,149,000	199,751,144	187,577,370	181,113,089	182,773,594	148,245,143	181,812,203	189,970,176	1,449,391,719								
Sockeye	7,558,000	2,461,051	3,672,440	6,427,353	6,574,787	8,304,741	6,072,804	3,532,366	44,803,542								
Grand Total	219,038,681	232,402,159	219,876,712	219,112,232	217,207,744	180,587,512	219,915,238	223,905,901	1,732,046,179								

Species	2000		2001		2002		2003		2004		2005		2006		2007		Grand Total
Chinook	2,364,000	2,982,331	7,064,275	3,453,987	2,650,097	2,019,352	2,208,888	2,012,720	24,755,650								
Chum	-	-	-	-	-	-	-	-	-								
Coho	2,587,044	3,775,059	2,610,805	3,568,770	3,235,681	2,831,574	2,929,344	1,989,095	23,527,372								
Pink	155,966,000	145,424,034	202,209,484	133,522,017	56,451,661	25,183,199	20,500,000	17,198,000	739,256,395								
Sockeye	23,510,000	25,672,000	26,604,416	24,035,343	17,030,707	8,214,000	18,210,000	17,198,000	160,474,466								
Grand Total	184,427,044	177,853,424	238,488,980	164,580,117	79,368,146	38,248,125	43,848,232	21,199,815	948,013,883								

Species	2000		2001		2002		2003		2004		2005		2006		2007		Grand Total
Chinook	81,922,013	114,083,514	115,637,488	151,526,806	148,419,530	167,770,221	170,000,000	130,000,000	1,079,359,572								
Coho	3,574,677	3,806,520	3,437,630	3,386,438	3,345,511	4,797,636	5,947,287	2,520,576	30,816,275								
Pink	676,779,311	673,661,635	684,174,678	702,718,692	630,052,382	665,784,355	673,882,985	693,033,709	5,420,077,747								
Sockeye	25,680,490	44,105,979	46,614,069	46,378,648	18,749,501	47,383,882	46,350,000	40,850,000	316,107,569								
Grand Total	787,956,491	835,647,648	849,863,865	904,005,584	800,566,924	905,736,094	896,180,272	866,404,285	6,846,361,163								

Species	2000		2001		2002		2003		2004		2005		2006		2007		Grand Total
Chinook	9,748,159	11,151,803	11,096,833	10,289,658	13,647,905	13,097,231	14,108,082	14,551,277	97,690,948								
Chum	428,887,680	425,950,600	407,695,803	494,208,121	491,041,313	437,264,742	515,118,483	464,416,416	3,664,583,158								
Coho	24,405,280	22,292,024	26,846,566	25,124,365	24,369,688	23,636,697	24,654,029	27,186,309	198,514,958								
Pink	62,695,500	81,839,687	94,046,007	90,790,716	90,223,916	89,603,089	87,453,050	71,550,273	668,202,238								
Sockeye	16,494,718	16,643,949	15,414,768	17,446,763	19,480,767	17,078,031	21,974,990	20,704,800	145,248,786								
Grand Total	542,231,337	557,878,063	555,099,977	637,859,623	638,773,589	580,679,790	663,308,634	598,409,075	4,774,240,088								

Species	2000		2001		2002		2003		2004		2005		2006		2007		Grand Total
Chinook	12,236,977	14,220,254	18,308,206	13,909,190	16,479,602	15,325,256	16,664,071	16,772,709	123,907,265								
Chum	541,386,693	567,734,302	549,273,924	674,719,459	664,792,575	626,673,291	714,325,462	622,359,041	4,961,264,747								
Coho	33,196,864	32,277,259	35,434,172	34,510,286	33,296,911	33,456,534	36,006,811	33,948,002	272,126,839								
Pink	1,073,589,811	1,100,666,500	1,168,007,539	1,108,144,514	959,501,553	948,815,766	963,648,238	954,554,158	8,276,928,099								
Sockeye	73,243,208	88,882,979	92,305,693	94,283,107	61,845,762	80,980,654	92,607,794	82,285,166	666,434,363								
Grand Total	1,733,653,553	1,803,781,294	1,863,329,534	1,925,557,556	1,735,916,403	1,705,251,521	1,823,252,376	1,709,919,076	14,300,661,313								

Total 14,300,661,313

# STATE OF ALASKA

FRANK H. MURKOWSKI  
GOVERNOR

DEPARTMENT OF FISH AND GAME  
OFFICE OF THE COMMISSIONER

P.O. BOX 115526  
JUNEAU, AK 99811-5526  
PHONE: (907) 465-4100  
FAX: (907) 465-2332

December 1, 2006

Mr. George Covell, Chairman, Board of Directors  
Mr. Dave Reggiani, General Manager  
Prince William Sound Aquaculture Corporation  
P. O. Box 1110  
Cordova AK 99574

*George* *Dave*  
Dear Mr. Covell and Mr. Reggiani:

The Prince William Sound Aquaculture Corporation (PWSAC) provides a great service to fishermen, processors and communities of the Prince William Sound area, and the State of Alaska strongly supports the effective and continued operation of PWSAC salmon hatcheries and enhancement activities. PWSAC has produced millions of dollars worth of salmon for the commercial industry over the past several decades, greatly improving the economy and well-being of residents and workers in the area. There have been a number of operational difficulties, however, that we believe need to be addressed in order for PWSAC to maintain compliance with requirements of the State of Alaska.

Enclosed with this letter are: 1) a memorandum from Craig Farrington dated November 8, 2006, 2) the executive summary from an internal review of PWSAC's operations conducted by the Department of Fish and Game (ADF&G), and 3) the entire internal review conducted by ADF&G.

I encourage you to review this information in detail. There appear to be a number of noncompliance issues, with permit stipulations, regulatory requirements, and statutory requirements. We would like your response to these concerns, as well as a plan for dealing with them, within sixty days. My hope is that, during the 60-day period, PWSAC and the department will engage in free and positive communication, so that corrective measures can be designed and agreed upon.

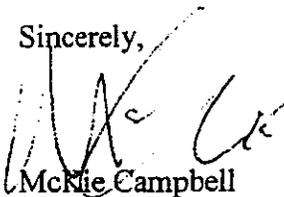
My objective through this process is to bring the problems and issues forward with the hope that this action will serve to improve the relationship between PWSAC and my department. Together, both of our agencies can foster the sustainability of the salmon resource in Prince William Sound, including, protection of wild salmon stocks, enhancement of the common

December 1, 2006

property fisheries, and achievement of cost recovery objectives leading to the long-term economic health of PWSAC.

I have copied all board members of Prince William Sound Aquaculture Corporation with this letter, along with the ADF&G memo of November 8, 2006, and executive summary from the department internal review. Board members wanting to have a copy of the full department internal review may contact the ADF&G Cordova Office or Craig Farrington at (907) 465-6154.

Sincerely,



McKie Campbell  
Commissioner

Enclosures

cc: Steve Aberle, Board Member  
Kenneth Adams, Board Member  
Jack Babic, Board Member  
Kory L. Blake, Board Member  
John Bocci, Board Member  
Michael K. Bowen, Board Member  
Leroy L. Cabana, Board Member  
EJ Cheshier, Board Member  
Megan Corazza, Board Member  
Guido Casciano, Board Member  
David Clemens, Board Member  
Bernie Culbertson, Board Member  
Roderick Dexter, Board Member  
Michael Durtschi, Board Member  
Robert Eckley, Board Member  
Bill Gilbert, Board Member  
Michael Glasen, Board Member  
Timothy L. Joyce, Board Member  
Peter Kuttel, Board Member  
Evtropil (Troy) Matveev, Board Member  
Robert E. Maxwell, Board Member  
Sharry Miller, Board Member  
Thane Miller, Board Member  
Timothy J. Moore, Board Member  
Ray Neeley, Board Member  
Jeff Olsen, Board Member

## **EXECUTIVE SUMMARY**

ADF&G recognizes the importance of Prince William Sound Aquaculture Corporation (PWSAC) within the region and strongly supports the effective and continued operation of PWSAC hatcheries. However, PWSAC has established an extensive record of on-going problems. Despite ample opportunity and encouragement to address these issues, PWSAC has neither corrected nor explained most of these on-going problems. Due to the number and seriousness of unresolved problems, the department initiated this internal review as the first step of a Performance Review (5AAC 40.860) (Appendix 1). The goal of this internal review is to document the problems and recommend corrective measures to help PWSAC improve their operations and meet their permit obligations.

### **PERMIT COMPLIANCE ISSUES:**

- Exceeding permitted stocking levels
- Substandard broodstock to egg take survival rate
- Withholding data required in permits
- Conducting cost recovery harvest outside SHAs without emergency order authority
- Refusing to fund required monitoring

### **GENERAL PROBLEMS:**

- Cost recovery shortfalls
- Large-scale straying and refusal to participate in straying evaluation
- Roe-stripping associated with excessive broodstock collections
- Inadequate reporting of roe sales
- Chum salmon otolith marking program failures
- Erratic management recommendations
- Lack of good faith negotiations
- Cooperative agreement problems
- Failure to report hatchery production/operational problems
- Unwieldy and unbalanced Board structure
- Lack of individual accountability among corporate officers and Board members
- Department failure to enforce compliance with permits, Annual and Basic Management Plans

In accordance with 5AAC 40.860 Performance Review this internal review finds that PWSAC's performance violates the conditions under which their permits are granted. PWSAC does not meet the 70% broodstock survival rate for most stocks as defined in 5AAC 40.860 (c) Minimum Hatchery Survival Standards. Large scale pink and chum salmon straying significantly impact wild stocks in a negative manner violating performance standard 5AAC 40.860 (b)(4). The Gulkana Hatchery fails to meet performance standard 5AAC 40.860 (b)(5) by not fulfilling the production objectives described in the terms of the hatchery permit. These failures include exceeding permitted stocking numbers, withholding required data, and not completing required monitoring. Further, the failed chum salmon marking program and refusal to fund mark recoveries fails to meet performance standard 5AAC 40.860 (b)(5).

Additionally, this internal review finds that PWSAC disregards many basic requirements and guidelines outlined in cooperative agreements, permits, Annual Management, and Basic Management plans. This is demonstrated by the Gulkana stocking violations, conducting cost

recovery outside of SHA's without department approval, the withholding of data, the lack of problem reporting, and resistance to monitoring programs including mark recovery and straying evaluations. At times, PWSAC basically says 'No' when asked to comply with permit conditions or conduct required monitoring.

Over time, the department has allowed PWSAC to deviate from approved practices resulting in potential negative effects to PWS fisheries. Two of the most serious problems are large-scale straying and substandard broodstock to egg-take survival rates. Both of these issues have complex negative effects on PWS fisheries. Large-scale straying has negative impacts on the genetic diversity of native PWS wild stock salmon, the PWS Allocation Plan, and hatchery cost recovery. The substandard broodstock survival rates violate regulatory standards and are more likely associated with roe-stripping than with egg-take levels required to seed hatcheries. To date, there have been few if any consequences for PWSAC's lack of compliance with cooperative agreement, permit, AMP, and BMP requirements.

The department must take steps to correct these many problems; however, options that do not disrupt PWS commercial fisheries are limited. The Performance Review states that 'the commissioner will, in his or her discretion, consider a permit alteration, suspension, or revocation in accordance with AS 16.10.430.' Any production level alteration has implications on the PWS Allocation Plan. Because of the limited number of options for addressing these problems, the department recommends the creation of an Oversight Committee. This Oversight Committee would set PWSAC production and broodstock levels and make recommendations to the PNP Coordinator and commissioner regarding any permitted hatchery activities or further permit alterations.

The negative effects of large-scale hatchery salmon straying must be addressed by PWSAC. To that end, the suspension of chum salmon remote release permits would serve multiple purposes. First, it reduces the chum salmon straying source to a single location rather than three spatially separated sources and provides incentive for PWSAC to seriously address hatchery salmon straying. Second, it would also mitigate problems associated with the failure of PWSAC's chum salmon marking program. Third, it would be a first step to fulfill the department's responsibility to implement the genetics policy. Lastly, the remote release programs have a poor performance record with large-scale straying and poor returns.

Finally, PWSAC's performance jeopardizes the financial viability of the regional aquaculture corporation. PWSAC management recommendations have directly resulted in multiple cost recovery short falls despite the presence of adequate numbers of fish. PWSAC has more than \$25 million state funded loans. Multiple cost recovery short falls required PWSAC to take an additional \$3 million short term state loan. PWSAC's problematic management recommendations call into question their ability to manage for cost recovery and broodstock collection goals. PWSAC management recommendations frequently have allocation implications, do not achieve cost recovery goals, and are of little use to the department.

## RECOMMENDATIONS

Pursuant to AS 16.10.430, AS 16.10.380, and 5 AAC 40.860 the Commissioner should notify PWSAC and the Regional Planning Team of PWSAC's noncompliance with its permits as well as its noncompliance with statutory and regulatory requirements and provide PWSAC with a reasonable period of 60 days in which to submit a plan to the department for resolving issues. The notice of noncompliance will also provide notice that the Commissioner is considering permit alteration if an adequate plan is not submitted, and provide an opportunity to PWSAC and the Regional Planning team to comment on proposed permit alteration terms. The notice should provide that if an adequate plan is not submitted the Commissioner intends to alter PWSAC's permits under AS 16.05.430 to require:

1) An oversight committee of department personnel shall be *ex officio* members of the PWSAC Board of Directors and Executive Committee. The oversight committee will have delegated authority from the commissioner under AS 16.10.445 and 5 AAC 40.840 to set PWSAC production and broodstock levels. The oversight committee will make recommendations to the PNP Coordinator and commissioner regarding any permitted hatchery activities or further permit alterations. Oversight committee members shall be notified of and given reasonable opportunity to attend and participate in all Board and Executive Committee meetings, and shall have access to all PWSAC documents and records.

2) The PWSAC Board of Directors will be restructured by April 15, 2007 in order to make the Board more efficient, reduce operating costs, increase personal responsibility, and maintain fair representation of commercial fishers in the region, and give other user groups an opportunity for effective participation. The restructure should be designed to achieve a final structure in accordance with the Foraker Group recommendations with the exception that the 2 dual permit holders will be replaced by 1 purse seine and 1 drift gillnet representative. The Foraker Group recommends reducing the Board of Directors from 45 to 16 members. Those members will be composed of 4 purse seine, 4 drift gillnet, 1 set gillnet, and 1 processor representative. The additional members will be composed of 6 general members; people who are interested in the enhancement of salmon in PWS but are not commercial fishers or processors. Additionally, because current hatchery problems are largely attributable to the Executive Committee, and because the Executive Committee has demonstrated its inability or unwillingness to comply with permit conditions, and because a rapid restructuring of the Board is needed, the revised permits should include conditions requiring the resignation or removal of all current Board Members by April 15, 2007, and prohibiting any cost recovery fishing or juvenile salmon releases until all current Board Members have resigned or been removed. Members of the Board could immediately run for seats in the new Board structure.

3) In order to correct its corporate culture of noncompliance with statutory, regulatory and permit conditions, PWSAC shall adopt a policy prohibiting the indemnification of any employee or officer from civil suit or criminal action if the employee's actions involve reckless or intentional violations of statute, regulation, or permit conditions and shall warn its employees and officers that violation of statutes, regulations, and permits may result in personal as well as corporate liability.

4) PWSAC will provide the department with a detailed written plan within 60 days, of adjustments to broodstock goals to meet the 70% broodstock to egg-take survival rate regulation. This plan will be reviewed and approved by the Oversight Committee. That egg-take goal should be the number of eggs required to seed each hatchery according to production levels set in the Annual Management Plan. The number of fish required to meet that goal will assume a 15% pre-spawn mortality and 10% green/over mature fish. No roe recovery associated with carcass disposal other than the incidental recovery of green or overripe roe during broodstock operations will be allowed. In no case shall incidental roe recovery exceed 10% of the broodstock goal.

5) Suspension of the Port Chalmers and AFK chum salmon remote release permits to reduce the chum salmon straying source to a single location rather than three separate sources. This step may reduce the geographic area of straying, increasing compliance with AS 16.10.420(10), 5 AAC 40.860(b)(4), and permit conditions; and will also provide incentive for PWSAC to address hatchery salmon straying and mitigate problems associated with the failure of PWSAC's chum salmon marking program. This suspension will remain in effect until PWSAC has demonstrated the ability to comply with permit conditions and correct problems detailed in this review.

6) Upon departmental request, any and all documents, records, or materials related to PWSAC hatchery operations shall be made available within 7 days. Any failure to provide documents in a reasonable time period shall be grounds for immediate permit alteration or revocation.

7) All roe harvests/sales must have prior approval by department oversight committee and be reported to the department within 7 days of harvest. All carcass disposals, including broodstock disposals made pursuant to 5 AAC 93.390(d), shall be logged and reported to the department as required under 5 AAC 93.310 on a weekly basis. PWSAC shall warn its employees, that any unauthorized sale of roe associated with disposal of salmon carcasses may result in personal as well as corporate liability for violation of AS 16.05.831 and 5 AAC 93.310.

8) The department should officially reject the proposal for Nelson Bay production expansions because of permit and performance standard violations and large scale straying problems. No production expansions should be granted until PWSAC has demonstrated the ability to comply with permit conditions and correct problems detailed in this review.

9) PWSAC will fund hatchery salmon straying evaluations to be operated by the department and within 60 days provide the department with a detailed written plan to evaluate different strategies to improve homing of hatchery salmon. This plan will be reviewed and approved by the Oversight Committee.

10) Within 60 days, PWSAC will provide the department with a detailed written plan of how the chum salmon thermal otolith marking program problems will be corrected. This plan will be reviewed and approved by the Oversight Committee.



## YUKON RIVER DRAINAGE FISHERIES ASSOCIATION

November 17, 2008

Alaska Board of Fisheries  
Boards Support Section  
Alaska Department of Fish & Game  
PO Box 115526  
Juneau, AK 99811-5526

RE: **Board of Fisheries Proposal Comments, Prince William Sound Proposal 81**

Dear Board of Fisheries Members:

The Yukon River Drainage Fisheries Association (YRDFA) is an association of commercial and subsistence fishers on the Yukon River, Alaska's longest river. The salmon of the Yukon River provide a primary source of food for local residents and for many the commercial salmon harvest also provides the only means of income for those who live in the 49 remote villages of the Yukon River in Alaska. We appreciate the opportunity to comment on Proposal 81 to reduce Prince William Sound (PWS) hatchery production to 24% of 2000 production. YRDFA **supports** this proposal **with modification** to reduce PWS hatchery production by 24% from 2001 levels, as originally promised by hatchery managers in 2001. We urge the Board of Fisheries to reduce PWS hatchery production and undertake research and monitoring efforts to address the problem of marine carrying capacity.

YRDFA has grave concerns about the biological and economic impacts of increased hatchery production. While we are still studying the precise interactions, it is clear that hatchery fish compete with wild salmon stocks for food in the marine environment, and may be contributing to size declines.<sup>1</sup> Hatchery outputs in PWS have increased dramatically since 2000: while approximately 76 million chum fry were released in 2000, over 146 million were released in 2005, a near doubling of fry releases.<sup>2</sup> These hatchery fish compete directly with wild fish in the marine environment. This increased competition for a fixed (and in some environmental conditions declining) amount of food in the marine environment results in size declines in wild stocks. Smaller fish carry fewer eggs which are less likely to survive, thus size declines directly impact production as well.

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<sup>1</sup> See Bigler et. al. 1996 for information on size declines in salmon throughout the North Pacific.

<sup>2</sup> ALASKA DEPARTMENT OF FISH AND GAME, Staff Comments on Subsistence, Personal Use, Sport, Guided Sport, and Commercial Regulatory Proposals for the Prince William Sound-Copper River-Upper Copper/Upper Susitna Management Areas, Alaska Board of Fisheries Meeting, Cordova, Alaska (December 1-7, 2008)(RC 2: 130).

Wild fish face stressors from a variety of factors under current environmental conditions. Climate change is impacting salmon stocks throughout their lifecycles. Yukon River Chinook salmon face the threat of *Ichthyophonus* infection and Chinook and chum salmon are taken as bycatch in the Bering Sea pollock fishery as well. Of the many factors impacting wild salmon stocks, competition from hatchery fish is one of the few which we can control. Particularly in these rapidly changing environmental conditions it is imperative that hatchery production is managed conservatively. Where the impacts on wild stocks and marine carrying capacity are not known, the Board of Fish and ADF&G should take a precautionary approach, reducing hatchery production until we know that it does **not** impact wild fish stocks. These reductions should be mandatory, and strict penalties enforced if hatchery operators do not comply with production guidelines. Particularly because of PWSAC's history of noncompliance with permit requirements, reporting and marking requirements and a suite of other performance issues,<sup>3</sup> it is particularly important that ADF&G set specific standards with strict penalties for noncompliance.

Beyond the biological impacts, hatchery production has had serious economic impacts as well. There is no question that hatchery production has dealt Yukon River chum markets a serious blow. Early season chum sales have been lost to hatchery production in Southeast Alaska and Prince William Sound that were directed at this same market period. Roe markets have been equally, if not more, affected. Increasing chum production in PWS makes the remote, higher cost fisheries, such as in the Yukon River, that much more marginal.

The Board of Fish addressed this issue in 2001, when hatchery managers promised to *reduce* their production by 24%. This promise was not met, but is no less important than it was in 2001. We urge the Board of Fisheries to take this opportunity to enforce this promise and reduce PWS hatchery production. We further ask the Board to require research and monitoring efforts to address the problem of marine carrying capacity. Finally, to ensure that fishermen and fishing organizations from throughout Alaska are given an opportunity to participate actively in hatchery discussions, we ask the Board to regularly convene the hatchery forum as a "forum for open discussion on a mutually agreed upon agenda of hatchery topics," as described in the Joint Protocol on Salmon Enhancement (#2002-FB-215). Thank you for your consideration of our comments and this important issue.

Sincerely,



Rebecca Robbins Gisclair  
Policy Director

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<sup>3</sup> See ALASKA DEPARTMENT OF FISH & GAME, Divisions of Sport and Commercial Fisheries, Internal Review of Prince William Sound Aquaculture Corporation (November 2006).

**PROPOSAL 65 - 5 AAC 24.335. Minimum distance between units of gear. and 24.367(b) Main Bay Salmon Hatchery Harvest Management Plan.**

PROPOSED BY: Prince William Sound Setnet Association

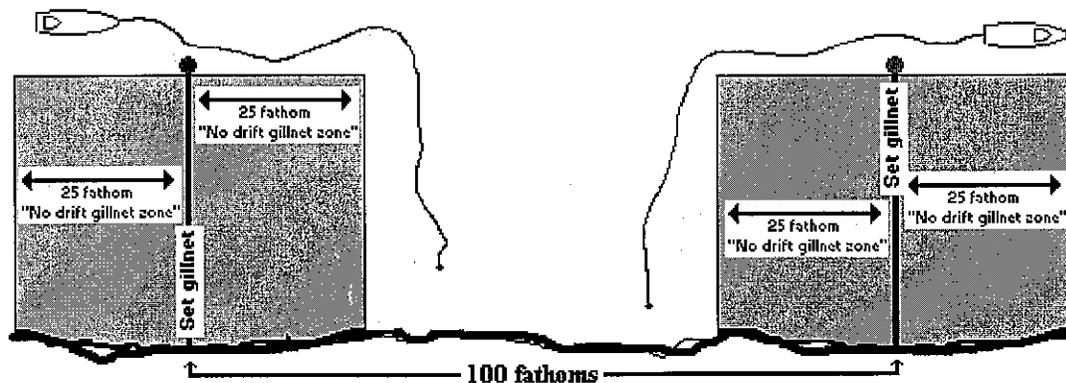
WHAT WOULD THE PROPOSAL DO? This proposal would apply regulations that are specific to Eshamy general district to the outer portion of the Main Bay Hatchery Subdistrict east of the THA.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 24.367(b) states that in the Main Bay Subdistrict(1) no portion of a drift gillnet may be operated within 25 fathoms of a set gillnet, except in the zone outside of the offshore end of the set gillnet. In addition sections 2-4 of this regulation specify that,

- a set gillnet buoy may not be more than 20 feet seaward of the net that it is attached to,
- a setgillnet must be operated in substantially a straight line with no more than 25 fathoms used as a hook,
- the inshore end of a set gillnet may not be operated in water deeper than 2 fathoms at low tide.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It would apply general district regulations to the outer Main Bay Hatchery Subdistrict. Specifically, it would,

- increase the no-fishing zone around set gillnets for drift gillnet vessels from 25 to 60 fathoms, (the current minimum spacing for set gillnets in the outer Main Bay Hatchery Subdistrict is 100 fathoms and would not change if this proposal were adopted). See Figure 1 below for current 25 fathom no-fishing zone, and Proposal 64, Figure 1 for 60 fathom no fishing zone.
- prohibit the "hooking" of set gillnets
- remove restrictions regarding the maximum depth of water in which the inshore end of a set gillnet may be set.



**Proposal 65, Figure 1-** Set gillnets in Main Bay Subdistrict east of THA showing 100 fathom minimum spacing between set gillnets and 25 fathom minimum distance for drift gillnet vessels laterally from a set gillnet.

RC36

**PROPOSAL 65 - 5 AAC 24.335. Minimum distance between units of gear. and 24.367(b) Main Bay Salmon Hatchery Harvest Management Plan.**

PROPOSED BY: Prince William Sound Setnet Association

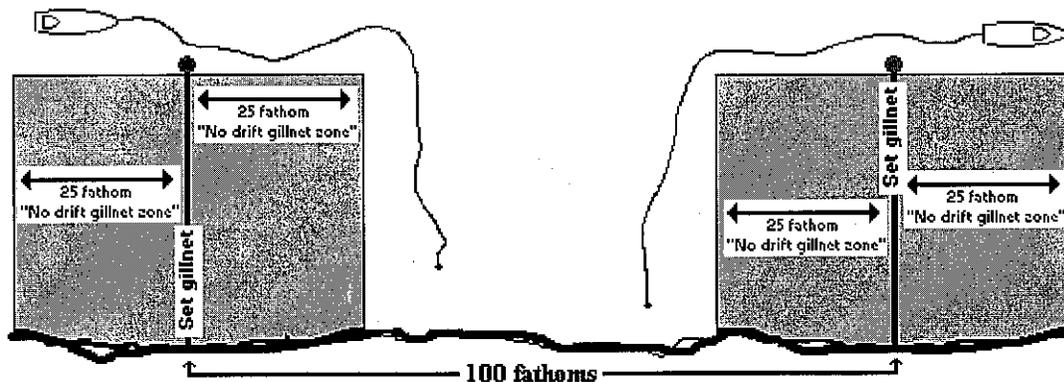
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- prohibit the "hooking" of set gillnets
- remove restrictions regarding the maximum depth of water in which the inshore end of a set gillnet may be set.



**Proposal 65, Figure 1-** Set gillnets in Main Bay Subdistrict east of THA showing 100 fathom minimum spacing between set gillnets and 25 fathom minimum distance for drift gillnet vessels laterally from a set gillnet.

Alaska Board of Fisheries,

RC 37

My name is James Mykland and I thank you for the opportunity to speak today. I have commercially fished Prince William Sound/Copper River since 1976.

**Prince William Sound:**

**I oppose proposals 71, 72, 73 & 74.**

Over 25 years ago, the "PWS allocation plan" was implemented by this body. It is truly a work in progress, due to the fact it has been changed and altered throughout this time period.

Due to low price and small returns the seine fleet struggled financially during the early 90's. Since then we have been working hard to bring the seine fleet up to par. We can now claim success. In 2002, the seine harvest value of enhanced fish was a dismal 35%. Since then conditions have drastically improved. The price of pink salmon has steadily increased since 2003, and in 2007 the seine fleet's harvest value was 66% and the drift was only 34%. Wow, what a reversal!

During 2008 season the price increased again and the seine fleet had another great year, with the harvest value estimated to be above 70%. As a result, the PWS seine fleet today is viable, healthy and latent permits are once again being fished.

So what do these proposals actually want to change? They, in effect, provide full access to the Coghill district by the seine fleet. This will change the exclusive access by the drift fleet of PWS "early run timing" returns. This access was agreed to by all parties, during the implementation of the "allocation plan".

The authors of these proposals again want to change the game. The enhanced fish in PWS are fully allocated and utilized, though these proposals will give the opportunity to the seine fleet to harvest more than their fair share.

Second, the escapement numbers in the Coghill district are and have been well within the range of the SEG. What has not been discussed is the reason why the department first restricted seine access in this district. Five words explain it: **Sustainability of Coghill Lake Sockeyes**. This "wild" return to the Coghill district has to traverse through a number of fishing

districts before reaching its spawning area. It is highly susceptible to over fishing by the highly effective and efficient seine fleet. During 1960-1980 the seine fleet used fixed leads tied to the beach and were not as mobile as they are today. The use of deep nets, large seine vessels & powerful jitneys are now the norm.

If these proposals are approved the seine harvest of enhanced fish will rise and the drift harvest will decline. Instead of giving the seine fleet more opportunity to greater volumes of enhanced fish, we should be looking at ways to diminish their enhanced harvest. The 2009 season has all the potential of being another blockbuster year for the seine fleet and their harvest value is estimated to be at 60-70%.

Remember, the allocation plan allows for the 50% split of enhanced fish. In conclusion, the allocation plan, the system & process are all working well for the seine fleet. There is no justification to give this fleet more access to infringe on the drift fleet in PWS. I strongly oppose these proposals and ask that you not be swayed by arguments that will invalidate a program that is currently working well.

**I oppose proposal 69.**

This proposal would open up the migratory corridors of wild and enhanced fish in PWS, to interception by the seine fleet. This proposal defeats the premise of the allocation plan. The 50% split of enhanced fish make sense. This proposal does not.

**I oppose proposals 65 & 66.** If these proposals are approved, the area for the drift fleet to fish will be vastly decreased.

## **Copper River:**

**I oppose proposal 1.** There is no new information to reclassify this fishery.

**I oppose proposals 126, 128, 129 & 131.**

The end result of the mandatory restrictions (enacted in 2005) has been a surge in overall Chinook escapement: Over 59K, 35K, & 30K respectively. The testimony we heard yesterday from the Fairbanks Advisory Committee uses Federal Data as proof that the subsistence needs are not be made. What has not been brought to light is that this Federal data is collected under a voluntary process. During this season, 716K fish swam past the sonar in a year of low commercial harvest and yet at this meeting we are hearing that the subsistence harvest is down. Where are all these fish ending up? The conclusion I draw is that there is under reporting of fish harvested in the Glennallen Subdistrict subsistence fishery.

Chinook salmon are not an incidental part of our fishery and never have been. In fact, they are an integral and important financial factor in the Copper River commercial salmon fishery today. The local Cordova community depends heavily on this early part of our fishery.

In conclusion, further restrictions of the Copper River commercial harvest are not warranted at this time.

I thank you again for the opportunity to address the proposals before you and your consideration of my views. I would like the opportunity to sit on Committee C & E.

James Mykland  
121 W Davis Ave  
Cordova, AK

AC 38

Thank you Mr. Chairman, and Gentlemen of the Board.

I am here to let you know why we need to open a Spot Shrimp commercial fishery for all of Prince William Sound. Others and I have laid a group of proposals in front of you, which should allow the Department to open commercial fishing for shrimp in a manner that is responsive to management concerns and ensures a sustainable harvest as best as can be assured.

The stock HAS recovered back to (and perhaps beyond by now) historical levels (per 3<sup>rd</sup> paragraph in "Background" of Department Comments 3-2006)  
*The department has conducted an annual standardized index survey for spot shrimp since 1989. Spot shrimp catch rates in the survey declined from 1.3 pounds per pot in 1989 to 0.29 pounds per pot in 1998 and then incrementally increased to 1.5 pounds per pot in 2004. The 2005 survey index of 1.4 pounds per pot was approximately equal to the level observed in 1989 when the fishery had experienced some partial area closures.*  
In 2007 (per 2008 Department Comments), the survey index is 2.4 pounds per pot, and probably similar or higher for 2008.

The Shrimp stocks are strong now as shown by the index, and by reports from the non-commercial catches. This fishery has been a booming frenzy for several years now.

It is NOW time to reopen a commercial fishery for spot shrimp. In order to do that, a Management Plan must be created. In 2000, in 2003, and in 2006, you have requested in official actions that the Department create such a management plan. They have stonewalled you. They have ignored your requests. They have shirked their responsibility to the Board and their mandate to the people of Alaska to manage the resources for full and sustainable utilization. I can only guess why.....

When I received the proposal book a couple months ago, I was elated to see that they had a proposal to finally do this. Until I read it. It says that they propose to "establish a commercial shrimp pot fishery management plan as follows: Establish a commercial shrimp pot fishery management plan." No detail. Hollow. Sounds like lip service. That is what they told you (The Board of Fish) in 2000. Then again in 2003. Once again in 2006! Do they really mean it now because it is a proposal?

Two weeks ago, when the department comments came out, I started to believe them!! They had some detail (although they were withholding some critical items). They still did not have a complete proposal. But what they did have worried me. I am still wondering if they mean it. The incomplete provisions there appear so restrictive that it hints towards an economically unviable fishery.

But in the Department's submissions, they have made it clear that they are looking for help from the Board process to create a Management Plan for a fishery. That is why I am here before you today. I would like to help the Department and the Fish Board to make a long