

Note: Proposal 156 was updated to include Tables 156-1 and 156-2 on p. 219 (12/24/2024).

ALASKA DEPARTMENT OF FISH AND GAME

**STAFF COMMENTS ON
COMMERCIAL, PERSONAL USE, SPORT, AND SUBSISTENCE
REGULATORY PROPOSALS
COMMITTEE OF THE WHOLE-GROUPS 1-6
FOR**

**SOUTHEAST ALASKA KING SALMON, GROUND FISH, AND
SHELLFISH**

**ALASKA BOARD OF FISHERIES MEETING
KETCHIKAN, ALASKA**

JANUARY 27-FEBRUARY 9, 2025



Regional Information Report No. 5J24-10

The following staff comments were prepared by the Alaska Department of Fish and Game (department) for use at the Alaska Board of Fisheries (board) meeting, January 27-February 9, 2025, in Ketchikan, Alaska. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

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by
Alaska Department of Fish and Game

Alaska Department of Fish and Game
Division of Sport Fish, Research and Technical Services
333 Raspberry Road, Anchorage, AK 99518–1565

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ABSTRACT

This document contains Alaska Department of Fish and Game (department) staff comments on commercial, personal use, sport, and subsistence regulatory proposals for Southeast Alaska king (Chinook) salmon, groundfish, and shellfish. These comments were prepared by the department for use at the Alaska Board of Fisheries meeting, January 27–February 9, 2025, in Ketchikan, Alaska. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

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Summary of department positions on regulatory proposals for Southeast Alaska king salmon, groundfish, and shellfish; Ketchikan, Alaska, January 27–February 9, 2025.

Proposal No.	Department position	Issue
233	S	Change the criteria for setting the season start date for the Registration A golden king crab commercial fishery to fall within the smallest set of falling tides from February 10 to 17
234	N	Change the start time for the Registration Area A commercial golden king crab fishery from 12:00 noon to 8:00 a.m. on the day the fishery opens
235	N	Add freezing spray to the criteria that would delay the start date of commercial golden king crab fishery in Registration Area A
236	O	Increase the depth that Registration Area A commercial king crab fishery pots can be stored to 20 fathoms
237	N	Expand the defined Lower Chatham Strait Area in the golden king crab commercial fishery in Registration Area A to include a portion of District 5
238	N	Expand the defined Southern Area in the golden king crab commercial fishery in Registration Area A to include all waters of Section 3-A
239	N	Divide the defined Northern Area of the golden king crab fishery in Registration Area A into 2 areas and split the current guideline harvest level between the 2 new areas
240	O	Allow participants in the Registration Area A Tanner and golden king crab fisheries to have Tanner crab aboard their vessel while fishing for golden king crab in a closed commercial Tanner crab area
241	O	Allow a vessel participating in a Registration Area A king crab fishery to operate groundfish coil spring pots to catch bait
242	N	Allocate 100% of the Section 11-A red king crab guideline harvest level to the personal use fishery, 70% for summer harvest and 30% for fall/winter harvest
243	S	Adopt a biologically based harvest strategy for the commercial red and blue king crab fishery along with a bag and possession limit maximum for the personal use fishery and adopt new management measures for the red and blue king crab fishery
244	S	Change the criteria for setting the season start date for the Registration Area A Tanner crab commercial fishery to fall within the smallest set of falling tides from February 10 to 17
245	N	Change the start time for the Registration Area A commercial Tanner crab fishery from 12:00 noon to 8:00 a.m. on the day the fishery opens
246	N	Add freezing spray to the criteria that would delay the start date of commercial Tanner crab fishery in Registration Area A
247	O	Increase the depth that Registration Area A commercial Tanner crab fishery pots can be stored to 20 fathoms
248	O	Allow a vessel participating in a Registration Area A Tanner crab fishery to operate groundfish coil spring pots to catch bait
249	N	Allow Tanner crab commercial fishery participants to operate pot gear for subsistence, personal use, or sport fisheries after unregistering from the commercial fishery
250	O	Reduce the minimum size limit for male Dungeness crab from 6 ¹ / ₂ inches to 6 ¹ / ₄ inches in the Registration A subsistence and personal use fisheries
251	N	Change the start date of the Registration Area A Dungeness crab commercial fishery's summer season from June 15 to July 1
252	O	Allow a vessel participating in a Registration Area A Dungeness crab fishery to operate groundfish coil spring pots to catch bait

Proposal No.	Department position	Issue
253	N	Allow a person or vessel to participate in the Registration Area A commercial Dungeness crab fishery if they operated commercial shrimp pots during the 14 days immediately before the opening of the commercial Dungeness crab fishery
254	N	Allow a person or vessel to participate in the Registration Area A commercial Dungeness crab fishery if they operated commercial shrimp pots during the 14 days immediately before the opening of the commercial Dungeness crab fishery
255	N	Allow a person or vessel to participate in the Registration Area A commercial Dungeness crab fishery if they operated commercial, personal use, or subsistence shrimp pots during the 14 days immediately before the opening of the commercial Dungeness crab fishery
256	N	Allow a person or vessel to participate in the Registration Area A commercial Dungeness crab fishery if they operated commercial shrimp pots during the 14 days immediately before the opening of the commercial Dungeness crab fishery. In addition, permit holders may not register and participate in the Dungeness and shrimp pot commercial fisheries concurrently
257	N	Allow a person or vessel to participate in the Registration Area A commercial Dungeness crab fishery if they operated commercial shrimp pots during the 14 days immediately before the opening of the commercial Dungeness crab fishery
258	N	Open some or all areas closed to commercial Dungeness fishing in Registration Area
259	N	Open all waters closed to commercial Dungeness fishing in Registration Area A from October 1 through November 30, annually
260	N	Close George Inlet, Carroll Inlet, and Thorne Arm in District 1 to the commercial harvest of shrimp and crab
261	N	Close Traitors Cove to commercial and sport shellfish harvest
262	O/N	Close sport fishing for Dungeness crab in Thorne Bay
191	S	Amend logbook requirements for vessels fishing for groundfish with pot and longline gear
192	S	Allow pots used in the personal use bottomfish fishery to be longlined
193	O	In state waters of the Eastern Gulf of Alaska Area, allow CFEC permit holders fishing for groundfish or halibut with mechanical jig and hand troll gear to use a deepwater release mechanism to return rockfish to the ocean
194	S	Reduce the minimum inside diameter of circular escape rings from 3 ³ / ₄ inches to 3 ¹ / ₂ inches on pots used to take sablefish in the subsistence, commercial, and personal use sablefish fisheries
195	O	Change the Southern Southeast Inside (SSEI) Subdistrict sablefish fishery season opening and closing dates to be concurrent with the federal Individual Fishing Quota (IFQ) sablefish fishery season dates
196	O	Reduce the minimum inside diameter of escape rings in commercial sablefish pots to 3 ³ / ₈ inches
197	S	Clarify and amend existing regulations regarding subsistence, personal use, and commercial groundfish fisheries in the Northern Southeast Inside Subdistrict and the Southern Southeast Inside Subdistrict
198	N	Increase the daily bag limit for sablefish in the sport fishery
199	S	Add a weather delay provision that would postpone the opening date of the directed demersal shelf rockfish and directed lingcod fisheries if weather forecast meets gale warning or higher criteria in management areas in the Eastern Gulf of Alaska Area

Proposal No.	Department position	Issue
200	S	Adopt a catch reporting requirement for directed lingcod fisheries
201	S	Clarify lingcod bycatch overage requirements in the Southeast District fisheries for longline halibut and salmon troll fisheries
202	S	Clarify that only one line can be used for dinglebar gear in the lingcod fishery
203	N	Establish unguided nonresident lingcod regulations
204	S	Allow pots to be longlined in the state waters of the Eastern Gulf of Alaska commercial Pacific cod fishery
205	S	Allow personal use retention of Pacific cod and rockfishes, including thornyhead rockfish, in pot gear
206	S/N	Reopen yelloweye sport fishery for residents
207	O	Allow retention of demersal shelf rockfish by nonresidents
208	O	Allow retention of demersal shelf rockfish by nonresidents
209	N	Establish provisions for a resident priority within emergency order authority for pelagic rockfish
210	S	Reduce the bag and possession limit for pelagic rockfish in Southeast Alaska
211	S	Clarify regulations regarding fish ticket documentation of rockfish overages in the groundfish and halibut fisheries. Also, add a demersal shelf rockfish (DSR) overage reporting requirement for the Eastern Gulf of Alaska salmon troll fishery
108	N	Modify management and allocation provisions of the Southeast Alaska King Salmon Management Plan
109	N	Modify the structure of the Southeast Alaska King Salmon Management Plan by removing management tiers and other provisions
110	N	Manage the sport fishery inseason to achieve the annual king salmon allocation to the sport fishery
111	N	Modify the management provisions and target allocation for the king salmon sport fishery
112	N	Modify the sport allocation of king salmon and provisions for management
113	N	Modify the provisions of the Southeast Alaska King Salmon Management Plan and increase the sport allocation of king salmon
114	N	Reduce the nonresident annual limit in low allocation management tiers and other modifications to the Southeast Alaska King Salmon Management Plan
115	N	Reduce the nonresident annual limit for king salmon to one fish
116	N	Reduce the nonresident annual limit for king salmon to 2 fish prior to July 1 and one fish after July 1
117	N	Reduce the nonresident annual limit for king salmon to 2 fish prior to July 1 and one fish after July 1
118	N	The nonresident annual limit for king salmon shall not exceed 3 and nonresident annual limits will not apply in terminal harvest areas
119	N	Close the nonresident sport fishery for king salmon for 2 days per week
120	N	Close the nonresident sport fishery for king salmon on weekends

Proposal No.	Department position	Issue
121	S	Extend the sunset provisions in the Southeast Alaska King Salmon Management Plan
104	N	Allocate 5,000 king salmon for the Alaska's all gear quota to a king salmon subsistence fishery and establish provisions for king salmon subsistence fishery
105	S/N	Modify sport fishing regulations in salt waters subject to the Magnuson–Stevens Act by removing differential regulations for resident and nonresident anglers
106	O	Prohibit nonresidents on charter vessels that have taken fish in the EEZ from offloading those fish in state waters
107	O	Prohibit nonresidents that have taken fish in the EEZ from possessing or offloading those fish in state waters
122	O	Prohibit the removal of king salmon from the water when retention is not allowed
123	O	Prohibit netting or handling king salmon when catch-and-release fishing is implemented
124	N	Modify resident sport fishing opportunity prescribed by Southeast Alaska king salmon action plans
125	N	Close sport fishing for king salmon in District 14A when a stock of concern exists for king salmon stocks in Northern Southeast Alaska
126	N	Close sport fishing for king salmon in District 14A
127	N	Allow residents to retain king salmon in the month of April near Ketchikan
128	N	Allow residents to retain king salmon in the month of April in the Ketchikan area
129	S	Increase the number of days open in the Yakutat Bay spring troll fishery from 1 day to 2 days
130	O	Allow for remaining troll king salmon allocation after winter and spring troll fisheries to be harvested during a single retention period beginning July 1
131	S	Establish criteria for establishing a limited harvest troll fishery in August and allow for more than one limited harvest fishery to occur
132	O	Establish a minimum size limit for king salmon of 26 ^{1/2} inches from snout to fork of tail in the spring troll fisheries
133	O	Allow for king salmon of 26 ^{1/2} inches snout to fork length be retained in District 13 spring troll fisheries
134	O	Expand landing and retention requirements for king salmon by purse seine permit holders and establish penalties for violating landing requirements
169	N	Allow use of 2 fishing rods used in conjunction with a down rigger or hand troll gurdy to be used during the spring and summer troll fisheries
135	N	Only allow for the use of seine gear in the Redoubt Bay subsistence fishery when the escapement is projected to be greater than 40,000 sockeye salmon
136	N	Increase sockeye salmon possession and annual limits at Basket Bay
137	N	Increase the possession limit of sockeye salmon for Basket Bay from 15 to 30 sockeye salmon
138	N	Prohibit snagging in the Mendenhall Wildlife Refuge
139	N	Prohibit snagging within Don D. Statter harbor
140	O	Sport fishing may only be conducted with a single barbless circle hook from April 1 through June 14

Proposal No.	Department position	Issue
141	O	Prohibit the use of bait in sport fisheries from April 1 through June 14
142	S	Open Ketchikan Creek to sport fishing year-round and establish bag and possession limits for king salmon
143	O	Increase the bag and possession limit for trout in Southeast Alaska
144	O	Increase harvest opportunity for trout in Southeast Alaska
145	O	Increase harvest opportunity for trout in Klawock Lake drainage
146	O	Increase the bag and possession limit for rainbow and cutthroat trout in 108 Creek drainage
147	S	Increase the bag and possession limit for rainbow and cutthroat trout and prohibit the use of bait in Neck Lake
148	S	Modify Eagle Lake cutthroat trout bag and possession and size limit
149	O	Prohibit the use of bait and establish a catch-and-release fishery with single barbless hooks in Petersen Creek
150	S	Change the weekly subsistence fishing periods in the Yakutat Area from 6:00 a.m. to 12:01 a.m. start time and 6:00 p.m. to 11:59 p.m. end time
151	S	Modify the nonresident annual limit for king salmon in the freshwaters of the Yakutat management area and the Situk River
152	S	Amend the Situk-Ahrnklin Inlet and Lost River King Salmon Fisheries Management Plan to reflect recent management strategies
153	S	Close a portion of the Situk River to sport fishing until the escapement goal for king salmon is met
154	O	Close sport fishing in a portion of the Situk River from April 15 through May 15
155	S	Increase the sport fish bag and possession limit for sockeye salmon in the fresh waters flowing into the Situk-Ahrnklin estuary
170	S	Add waters closed to commercial fishing in Sudden Stream and Malaspina Lake
156	O	Reduce Southeast Alaska hatchery permitted pink and chum salmon egg take level by 25%
157	S/N	Establish a terminal harvest area and associated management plan for harvesting hatchery produced salmon at Burnett Inlet
158	S	Modify boundaries of the Hidden Falls terminal harvest area (THA) for chum, king, and coho salmon and the Hidden Falls special harvest area (SHA) for chum and king salmon
159	N	Modify the Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan
160	N	Modify the Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan
161	N	Reduce the sport fish bag limit for king salmon in the Blind Slough Terminal Harvest Area
162	O	Reduce king salmon sport fish bag limits outside of the time when the Wrangell Narrows-Blind Slough Management Plan is in effect
163	N	Nonresident annual limits for king salmon will apply in the Blind Slough terminal harvest area

Proposal No.	Department position	Issue
164	N	Modify king salmon bag and possession limits in the terminal harvest area near Juneau
165	O	Change the start time of weekly drift gillnet fishing periods from Sunday to Monday
166	N	Allow for drift gillnets to be up to 90 meshes deep in District 11 beginning statistical week 34
167	O	Increase the legal length of purse seine by 50 fathoms
168	N	Modify regulations to make it unlawful to use aircraft for locating salmon during any open commercial purse seine fishing period
171	S	Modify spawning biomass threshold minimum and maximum harvest rates for the herring sac roe fishery in Sections 13-A and 13-B
172	S	Reduce upper end of sliding scale harvest rate for Southeast Alaska commercial herring fisheries from 20 to 15 percent
173	O	Eliminate provisions to establish a guideline harvest level for the Sitka Sound herring sac roe herring fishery under 5 AAC 27.160
174	N	Establish a maximum guideline harvest level and minimum spawning biomass to conduct fisheries for the Sitka Sound sac roe herring fishery
175	N	Establish a 15,000 ton harvest limit for the Sitka Sound sac roe fishery
176	N	Reduce the maximum harvest rate from 20 percent to 10 percent for the Sitka Sound herring sac roe fishery
177	N	Reduce the minimum harvest rate to 10 percent and increase the threshold that allows for a fishery from 25,000 tons to 50,000 tons for the Sitka Sound herring sac roe fishery
178	N	Expand waters closed to commercial sac roe herring fishery to include the majority of waters herring having historically spawned in and the fishery has historically occurred
179	N	Expand waters closed the Sitka Sound herring sac roe fishery to include Promisla Bay
180	S	Correct latitude of Aspid Cape for the southern boundary of the Section 13-B purse seine sac roe herring fishery
181	O	Establish provisions for conducting test setting in the Sitka Sound herring sac roe fishery
182	N	Establish provisions for a herring sac roe purse seine permit holder participating in the Sitka Sound sac roe herring fishery to use open pound instead of purse seine fishing gear
183	N	Add the Sitka Sound area in Sections 13-A and B as open area to northern spawn on kelp permit holders and limit pound type to open pounds
184	N	Expand open area in Section 3-B for placement spawn on kelp pounds and to seining for taking of herring for pounds
185	N	Expand open area in Section 3-B for spawn on kelp pounds and to seining for taking of herring for pounds
186	N	Expand open area in Section 3-B for spawn on kelp pounds and to seining for taking of herring for pounds
187	N	Allow the use of large mesh webbing to surround spawn on kelp pound structure to protect structure and spawn on kelp product

Proposal No.	Department position	Issue
188	O	Limit the number days and limit the number of hours in a day commercial herring activity may occur, require observers for commercial herring fishing, require reporting of bycatch in fishery announcements, and limit the overall commercial harvest of herring in Southeast Alaska to 15,000 tons
189	O	Reduce by half the length limit of purse seine net for commercial herring harvest
190	O	Provide for co-management of herring fisheries with tribal governments
212	N	Allow the number of geoduck permit holders able to fish from one vessel to be increased from 2 to 4 by emergency order
213	O	Modify how geoduck guideline harvest levels are calculated
214	O	Allow for areas that have been closed for 5 years as a result of the estimated geoduck biomass dropping below 30% of the original biomass estimate to be resurveyed and potentially reopened
215	O	Give the department the authority to experiment with reduced guideline harvest levels in sea otter impacted areas where the current biomass estimate is less than 30 percent of the original biomass estimate
216	S	Clarify that only aquatic farm sites approved for the culture of geoduck clams are closed to commercial harvest of geoduck clams
217	N	Allow weekly fishing periods to begin on Sundays
218	O	Extend sea cucumber fishing season beyond March 31
219	N	Clarify when a sea cucumber permit holder is in possession of the product they harvested
220	N	Allow crew members to be in possession of sea cucumbers harvested by the sea cucumber permit holder
221	N	Prohibit harvest of naturally occurring sea cucumbers on aquatic farm sites by farm operator in areas where there are commercial sea cucumber fisheries
222	S	Adopt seasonal closures for subsistence, sport, and personal use shrimp fisheries
223	O	Increase the tunnel size for sport, personal use, and subsistence shrimp pots
224	N	Revert shrimp pot season from May 15 opening date back to October 1
225	N	Revert shrimp pot season from May 15 opening date to October 1 or to another start date in late summer/early fall
226	O	Provide for further conservation in the shrimp pot fishery by reducing all GHGs by 20%, reducing the number of pots allowed by 40–50%, and eliminating the large pot size
227	O	Allow for more than one CFEC shrimp pot permit holder to fish from the same vessel and jointly operate pot gear in aggregate of no more than 50% allowed gear for the additional permit
228	N	Redefine legal shrimp pot requirements to allow for the use of slinky pots
229	S	Repeal redundant descriptions of Southeast Alaska districts and sections in 5 AAC 31.105, update 5 AAC 33.200 with District 10 section descriptions, add Section 6-E to District 6 shrimp pot fishing areas, and update regulations that refer to 5 AAC 31.105
230	O	Establish a commercial jig fishery for squid

Proposal No.	Department position	Issue
231	O	Establish a commercial jig fishery for squid
232	S	Allow for the concurrent possession of red and green urchin aboard

N = Neutral; S = Support; O = Oppose; NA = No Action; WS = Withdrawn Support

COMMITTEE OF THE WHOLE – GROUP 1: COMMERCIAL, SPORT, PERSONAL USE CRAB (30 PROPOSALS)

GOLDEN KING CRAB (8 PROPOSALS)

PROPOSAL 233 – 5 AAC 34.110. Fishing seasons for Registration Area A.

PROPOSED BY: Petersburg Vessel Owners Association (PVOA).

WHAT WOULD THE PROPOSAL DO? It would change the criteria for setting the season start date for the Registration A commercial golden king crab fishery to open during the smallest set of falling tides, on the date immediately following the peak high tide, from February 10 to 17.

WHAT ARE THE CURRENT REGULATIONS? Current regulations specify that male golden king crab may be taken only from 12:00 noon on the date with the smallest Juneau tidal range from February 10 to February 17, as announced by emergency order, through December 1.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It would allow permit holders to start fishing before the tides have started rising and finish fishing in certain management areas before the peak of the tide cycle.

BACKGROUND: The Registration Area A commercial golden king crab and Tanner crab fisheries open concurrently by regulation. Participants may hold a permit for golden king crab only, Tanner crab only, or a combination of both golden king crab and Tanner crab. Eligible permit holders can simultaneously register for both fisheries. Often those with combination or dual permits registered for both fisheries begin the season targeting Tanner crab and then switch to golden king crab.

Prior to the 1985/86 season, the golden king crab fishery opened in October concurrently with the red king crab fishery. The red king crab fishery did not open in October of 1985 for the 1985/86 season. The presumed concurrent October opening of the 1985/86 golden king crab season was postponed until the start of the Tanner crab fishery on February 10, 1986. This season start change was based on industry and fleet preferences. The golden king crab and Tanner fisheries have opened concurrently since the 1985/86 seasons. In the 1985/86 through 1988/89 seasons, opening dates for both fisheries varied from as early as January 15 to as late as February 15. From the 1989/90 season through the 2004/05 season both fisheries opened concurrently on February 15.

At the 2005 board meeting, regulations were changed to allow a flexible start date for both fisheries from February 10 to February 17, on the day with the smallest Juneau tidal range. This change was positive for participants in both fisheries; golden king crab permit holders would be able to set gear on smaller tides, improving their efficiency and minimizing gear loss. Tanner crab permit holders would benefit by more permit holders with permits that had dual Tanner and golden king crab privileges starting to fish for golden king crab, that would decrease effort in the Tanner crab fishery.

For the 2005/06 season, the first season the new regulation went into effect, the department determined that the smallest Juneau tidal range to occur would be on February 10, 2006; immediately there was an organized backlash from industry on this start date. Though tides were small on February 10, they were building up to large tides. This was deemed unfavorable by industry and the department changed the start date to February 15, 2006. After this season, the

department decided the best way to fulfill the intent of the original proposal, to start both fisheries on favorable tides to minimize gear loss and reduce Tanner effort, was to solicit a start date from the King and Tanner Task Force (KTTF), an industry group. This strategy was used during 2006/07 through 2010/11. During these 5 seasons, the start date never corresponded with the smallest Juneau tidal range (Table 233-1), and there were few complaints from industry on the start date until the 2010/11 season. The KTTF selected February 15, 2011, for the start date that corresponded to a start on large tides that continued to build.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal to simplify regulations. Because the golden king and Tanner crab seasons have historically opened concurrently, the department would encourage taking the same action on this proposal and its companion, Proposal 244. Rather than basing the opening date on annually shifting subjective criteria the department would prefer a fixed annual start date for these fisheries, consistent with every other Tanner and king crab fishery in the state.

Tides are a significant challenge at times in the golden king crab fishery in Southeast Alaska, with fishery participants having to wait for their buoys to come to the surface once the tide lets up. By starting the season before the tides start rising, the relatively short golden king crab season in certain management areas could close before making gear retrieval more difficult. This change could allow for easier pot retrieval, less risk of gear interaction, and potentially less gear loss.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 233-1.—Registration Area A Tanner and golden king crab fishery start dates from seasons 2005/06 to 2010/11.

Season	Date of smallest Juneau tidal range	Start date selected by industry
2005/06	February 10, 2006	February 15, 2006
2006/07	February 11, 2007	February 10, 2007
2007/08	February 15, 2008	February 12, 2008*
2008/09	February 16, 2009	February 15, 2009
2009/10	February 10, 2010	February 15, 2010
2010/11	February 12, 2011	February 15, 2011**

Note: *Season start weather delay until February 14, **Season start weather delay until February 18.

PROPOSAL 234 – 5 AAC 34.110. Fishing seasons for Registration Area A.

PROPOSED BY: Petersburg Vessel Owners Association (PVOA).

WHAT WOULD THE PROPOSAL DO? It would change the start time for the Registration Area A commercial golden king crab fishery from 12:00 noon to 8:00 a.m. on the day the fishery opens.

WHAT ARE THE CURRENT REGULATIONS? Male golden king crab may be taken only from 12:00 noon on the date with the smallest Juneau tidal range from February 10 to February 17, as announced by emergency order, through December 1.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The golden king crab fishery in Southeast Alaska would open 4 hours earlier and vessels participating in the fishery opening may be transiting and operating in the dark; monitoring of the fishery opening by law enforcement could be more difficult.

BACKGROUND: Currently, all commercial king and Tanner crab fisheries in the State of Alaska have a 12:00 noon start time; 12:00 noon was adopted statewide in the 1983/84 season. The Southeast Alaska golden king crab and Tanner crab fisheries have opened concurrently since the 1985/86 season. During 1985/86 through 1988/89 seasons, opening dates for both fisheries varied from as early as January 15 to as late as February 15. From the 1989/90 through the 2004/05 season, both fisheries opened concurrently on February 15. In 2005, a regulation was passed to have a flexible start date, the day with the smallest Juneau tidal range, from February 10 to February 17, for both fisheries.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal, provided that both Tanner and golden king crab fishery have the same start time. The Alaska Wildlife Troopers (AWT) have expressed concerns with changing the start time of king and Tanner crab fisheries; monitoring the opening of the fishery with fixed wing aircraft in low light conditions is not possible in the winter months.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 235 – 5 AAC 34.110. Fishing seasons for Registration Area A.

PROPOSED BY: Petersburg Vessel Owners Association (PVOA).

WHAT WOULD THE PROPOSAL DO? This would add freezing spray to the weather criteria that would delay the start date of commercial golden king crab fishery in Registration Area A.

WHAT ARE THE CURRENT REGULATIONS? Season openings would be delayed if the National Weather Service forecast of the major fishing areas in Southeast Alaska (Southern Lynn Canal, Northern Chatham Strait, Stephens Passage, and Frederick Sound) contained gale-force wind warnings (35 knots and higher) on the 4:00 a.m. forecast the day preceding the season start date and the following day, would be delayed 24 hours. This delay announcement will be issued 24 hours before the fishery start time. If gale warning continues regionwide the delay may be extended an additional 24 hours and delays may continue on a rolling 24-hour basis.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would add freezing spray as a secondary criterion to delay the start of the golden king crab season. It would add another safety standard when considering the opening day of the commercial Tanner crab fishery; freezing spray would have to be in the forecast for Southern Lynn Canal, Northern Chatham Strait, Stephens Passage, and Frederick Sound.

BACKGROUND: Weather criteria exist in regions around the state to potentially delay the openings of commercial crab fisheries, making it safer for vessels to transit and fish.

In 2008, the commercial Tanner and golden king crab seasons were delayed for 48 hours due to adverse weather conditions. The department and the King and Tanner Task Force (KTTF) had previously jointly established criteria by which the Tanner and golden king crab fisheries could be delayed or extended due to bad weather. The criteria stipulated winds 40 knots or higher throughout the region in the 3–4 days preceding the start of the fishery. The department determined that these criteria had been met and that a delay to the start of the fishery was warranted. The department also consulted with NOAA meteorologists, AWT, the USCG, the KTTF, and crab permit holders and processors on the decision to delay the start date of both fisheries. The 2010/11 golden king crab fishery opened concurrent with the commercial Tanner crab fishery on February 18, 2011, originally scheduled for February 15 but delayed 72 hours due to weather concerns from the fleet, processors, and enforcement. The start date had originally been set for February 15, 2011, but the season was delayed for 48 hours, and then another 24 hours due to adverse weather conditions.

In 2012, for Registration Area A, the board passed a weather criteria regulation proposed by the department for commercial Tanner and king crab fisheries. This criterion was based on wind speeds predicted by the National Weather Service and defined the criteria areas. Language was similar to regulatory criteria for delaying the start of the South Peninsula District and the Chignik District Tanner crab fisheries in Registration Area M, where vessels used are of similar size to those used in Tanner and golden king crab fisheries in Southeast Alaska. Before this regulation was passed, the department delayed season start dates because of weather conditions.

The Tanner and king crab limited entry permit system is complex, and the permit allows a permit holder to fish for golden king crab and Tanner crab in Registration Area A. Concurrent fishery participation had led to the start date to be the same.

NOAA weather uses wind speed, air temperature, and water temperature to determine when freezing spray may occur. It is possible to have freezing spray at lower wind speeds than 35 knots.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Tanner and golden king crab fisheries in Registration Area A open concurrently and designated permits can participate in both fisheries. If this proposal is passed, companion Proposal 246 exists that would change the weather criteria for the opening of the Tanner crab fishery and should be considered.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 236 – 5 AAC 34.127. King crab pot storage requirements for Registration Area A.

PROPOSED BY: Petersburg Vessel Owners Association (PVOA).

WHAT WOULD THE PROPOSAL DO? It would increase the depth that Registration Area A commercial king crab fishery pots can be stored to 20 fathoms.

WHAT ARE THE CURRENT REGULATIONS? In Registration Area A, a commercial king crab pot can be stored in waters no deeper than 10 fathoms during the 10 days before the opening of the commercial fishery. They must have all bait and bait containers removed with doors secured open. Storage can also occur 7 days after the season closure in Registration Area A or 5 days following the closure in any portion of Registration Area A. Buoys must be attached to the pot and marked or a single buoy can be attached and mark a stack of stored pots. Statewide regulations allow commercial Tanner crab pots to be stored at 25 fathoms or less and deeper than 25 fathoms with time restrictions.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would increase the overall area in which permit holders can store their commercial crab pots, by increasing the depth in which they can be stored. This will complicate enforcement and make it more difficult to determine if pots are being fished during a closed season.

BACKGROUND: King crab pot storage regulations have changed through the history of the fishery, statewide and in Registration Area A, Southeast Alaska. Beginning in 1969, statewide king crab regulations specified that pots were either to be removed from the water or stored in waters of 5 fathoms or less. In 1975, the maximum statewide storage depth was changed to 25 fathoms or less.

The gear storage requirements for king crab gear in Southeast Alaska were established in the 1996/97 season. They were designed to provide an orderly removal of gear following area closure while facilitating enforcement of these closures, particularly because of the difficulty of enforcement to pull heavy king crab pot gear to ascertain they were in a stored condition. The 10-fathom limit was set to decrease the chances of Tanner and king crab pot “ghost fishing” as these crabs are less likely to be found in those depths. In 2005, the regulation was amended to allow for storage of commercial pots up to 5 days after the closure of the fishery area, a reasonable amount of time that would have minimal impacts. Because the Tanner and golden king crab fisheries may be open concurrently, there is the potential that an area may be closed for golden king crab but remain open for the harvest of Tanner crab. It would be difficult for enforcement to determine if a pot is in fishing condition or in storage condition.

During the department’s summer and fall crab stock assessment surveys, red king and Tanner crab have been caught in depths ranging from 11 and 20 fathoms. Golden king crab have been caught in depths shallower than 20 fathoms, but it is a rare occurrence.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Current gear storage requirements aid in enforcement by making an easy delineation between fishing and non-fishing pots; habitat for these crabs is generally deeper than 10 fathoms. This proposal doesn’t differentiate between storage before or after the season.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 237 – 5 AAC 34.107. Description of golden king crab fishing areas within Registration Area A.

PROPOSED BY: Steve Thomassen.

WHAT WOULD THE PROPOSAL DO? It would expand the defined Lower Chatham Strait Area in the golden king crab (GKC) commercial fishery in Registration Area A to include a portion of District 5.

WHAT ARE THE CURRENT REGULATIONS? The Southeast Alaska, Registration Area A, GKC commercial fishery includes 7 different management areas with associated guideline harvest ranges (GHRs): East Central (0–225,000 lb), North Stephens Passage (0–25,000 lb), Northern (0–145,000 lb), Icy Strait (0–55,000 lb), Mid-Chatham Strait (0–150,000 lb), Lower Chatham Strait (0–50,000 lb), and Southern (0–25,000 lb). Boundaries of these management areas are defined in regulation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would open Southeast Alaska waters that are currently closed for commercial golden king crab fishing. It would expand the current Lower Chatham Strait area adding portions of statistical areas 105-10, 105-20, 105-50, 105-41, 105-42, and 105-43 (Figure 237-1). This would add an additional 576 square miles to the current 931 square miles of the Lower Chatham management area, that could spread out the fleet. If fishing in these new areas is good, this could increase the pace of the fishery, reaching the guideline harvest level (GHL) faster. If there were other fisheries being prosecuted in this expanded area, there may be gear conflicts.

BACKGROUND: The commercial golden king crab fishery began in 1970 as a bycatch fishery to the red and blue king crab fishery with a quota of 1.5 million lb. In 1971, golden king crab fisheries were recognized with the adoption of distinct seasons, and a quota of 600,000 lb was established and managed regionwide. After 1977, guideline harvest ranges (GHRs) replaced quotas, and the fisheries were split into traditional (GHR 200,000 to 500,000 lb) and nontraditional areas (no fixed GHR) that were managed regionwide until 1987 (Table 237-1).

During the 1987/88 season, due to the propensity of the fleet to concentrate fishing effort only in the most productive fishing grounds, and to prevent overexploitation on any single fishing ground, separate GHRs were enacted for the 3 major, traditional fishing areas. All waters of Southeast Alaska not described in the major, traditional fishing areas were opened as exploratory areas. In 1993/94, the defined traditional fishing areas of Frederick Sound, Icy Strait, and Chatham Straits were expanded from 3 areas to 5 areas when the Clarence Strait and Cape Ommaney fishing areas were added, and exploratory areas were no longer defined in regulation (Table 237-1).

At the 2005 board meeting, the 2 subareas that had been unofficially managed separately, were formally added as separate management areas. In addition, the areas formerly managed as the Icy Straits Area and West Icy Strait Area GHRs were altered to better represent historical harvest. Lastly, all 7 management areas were renamed and have remained the same since the 2005/06 season (Figure 237-2 and 237-3). The GHRs were last modified prior to the 2018/19 season (Table 237-1).

The Lower Chatham Strait management area has an average harvest during 2000 through 2023 of 19,118 lb by 4 permits and typically makes up 4% of the total golden king crab harvest (Table 237-2).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The department will not increase the GHL if this proposal is adopted. The current Lower Chatham Strait golden king crab management area experiences significant tide fluctuations that prevent the retrieval of gear during the tide changes. The new proposed area could potentially allow for pot retrieval during these tides when it is not possible to do so in the current management area that could increase the pace of the fishery, reaching the GHL faster.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 237-1.--Description of historical management areas and their quota or guideline harvest ranges.

Seasons	Quotas, GHRs, and management areas	Area
<1969/70	No limit	SEAK/Yakutat
1970/71	Quota: 1,500,000 lb of all king crab	SEAK/Yakutat
1971/72 to 1977/78	Quota: 600,000 lb of GKC	SEAK/Yakutat
1978/79 to 1983/84	GHR: 50,000 to 200,000 lb of GKC	SEAK/Yakutat
1984/85 to 1986/87	Traditional fishing grounds GHR: 200,000 to 500,000 lb of GKC	SEAK only
	Nontraditional fishing grounds: No GHR	SEAK/Yakutat
1987/88 to 1992/93	Frederick Sound: 200,000 to 600,000 lb	SEAK only
	Icy Strait: 150,000 to 250,000 lb	
	Chatham Strait: 200,000 to 350,000 lb	
	Exploratory areas: No fixed GHR	
1993/94 to 1999/00	Frederick Sound: 0 to 350,000 lb	SEAK only
	Icy Strait: 0 to 250,000 lb	
	Chatham Strait: 0 to 150,000 lb	
	Cape Ommaney: 0 to 100,000 lb	
	Clarence Strait: 0 to 25,000 lb	
2000/01 to 2004/05 (Unofficial management areas)	New Frederick Sound: 0 to 225,000 lb	SEAK only
	North Frederick Sound: 0 to 25,000 lb	
	New Icy Strait: 0 to 25,000 lb	
	West Icy Strait: 0 to 90,000 lb	
	Chatham Strait (Same): 0 to 150,000 lb	
	Cape Ommaney (Same): 0 to 50,000 lb	
	Clarence Strait (Same): 0 to 25,000 lb	
2005/06 to 2008/09	East Central area: 0 to 225,000 lb	SEAK only
	North Stephens Passage area: 0 to 25,000 lb	
	Northern area: 0 to 145,000 lb	
	Icy Strait area: 0 to 55,000 lb	
	Mid-Chatham Strait area: 0 to 150,000 lb	
	Lower Chatham Strait area: 0 to 50,000 lb	
	Southern area: 0 to 25,000 lb	

Table 237-1.- Page 2 of 2.

Seasons	Quotas, GHRs, and management areas	Area
2009/10 to 2017/18	East Central area: 0 to 300,000 lb	SEAK only
	North Stephens Passage area: 0 to 25,000 lb	
	Northern area: 0 to 175,000 lb	
	Icy Strait area: 0 to 75,000 lb	
	Mid Chatham Strait area: 0 to 150,000 lb	
	Lower Chatham Strait area: 0 to 50,000 lb	
	Southern area: 0 to 25,000 lb	
2018/19 to current	East Central area: 0 to 225,000 lb	SEAK only
	North Stephens Passage area: 0 to 25,000 lb	
	Northern area: 0 to 145,000 lb	
	Icy Strait area: 0 to 55,000 lb	
	Mid Chatham Strait area: 0 to 150,000 lb	
	Lower Chatham Strait area: 0 to 50,000 lb	
	Southern area: 0 to 25,000 lb	

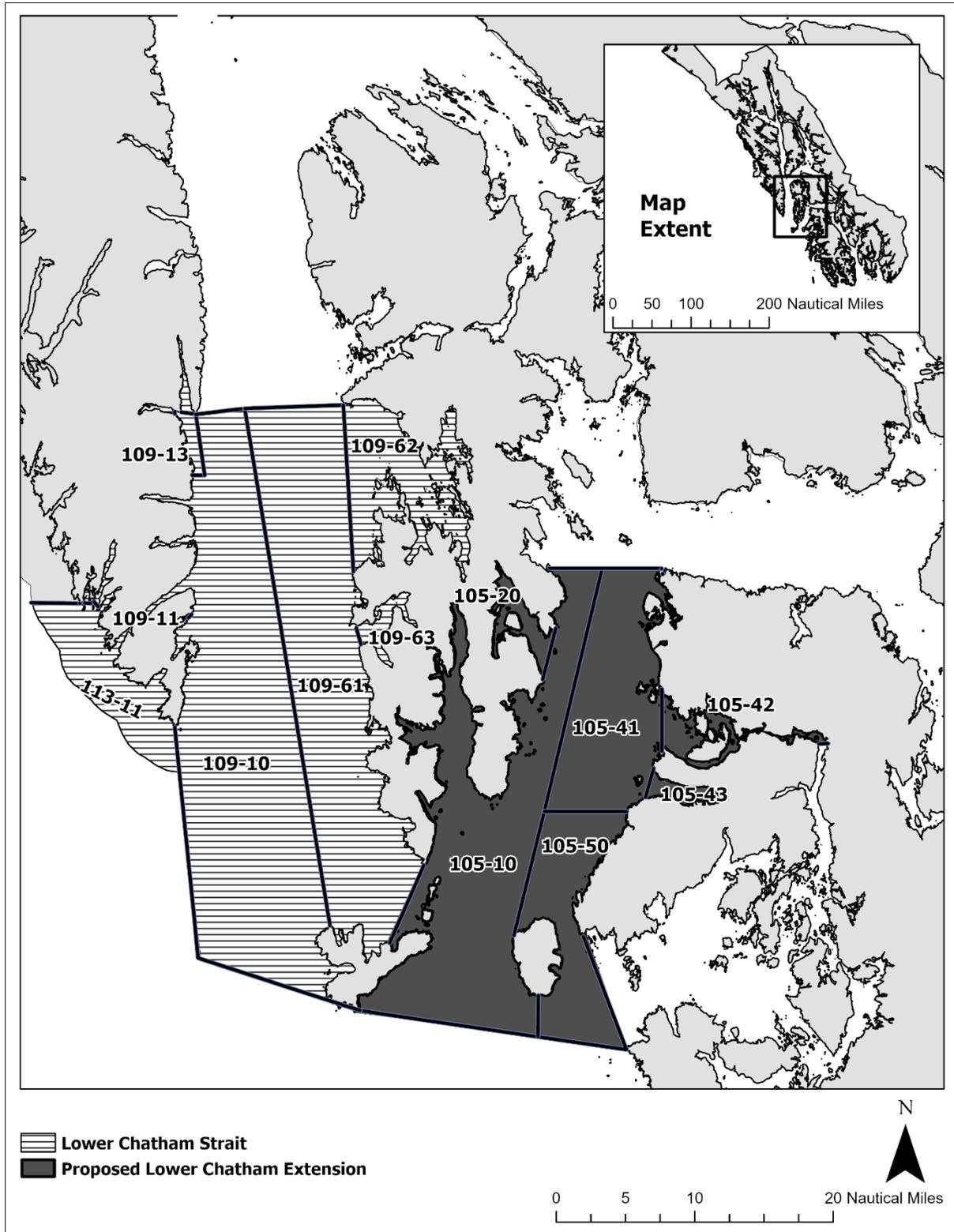


Figure 237-1.—Lower Chatham Strait golden king crab management area, current and proposed boundaries.

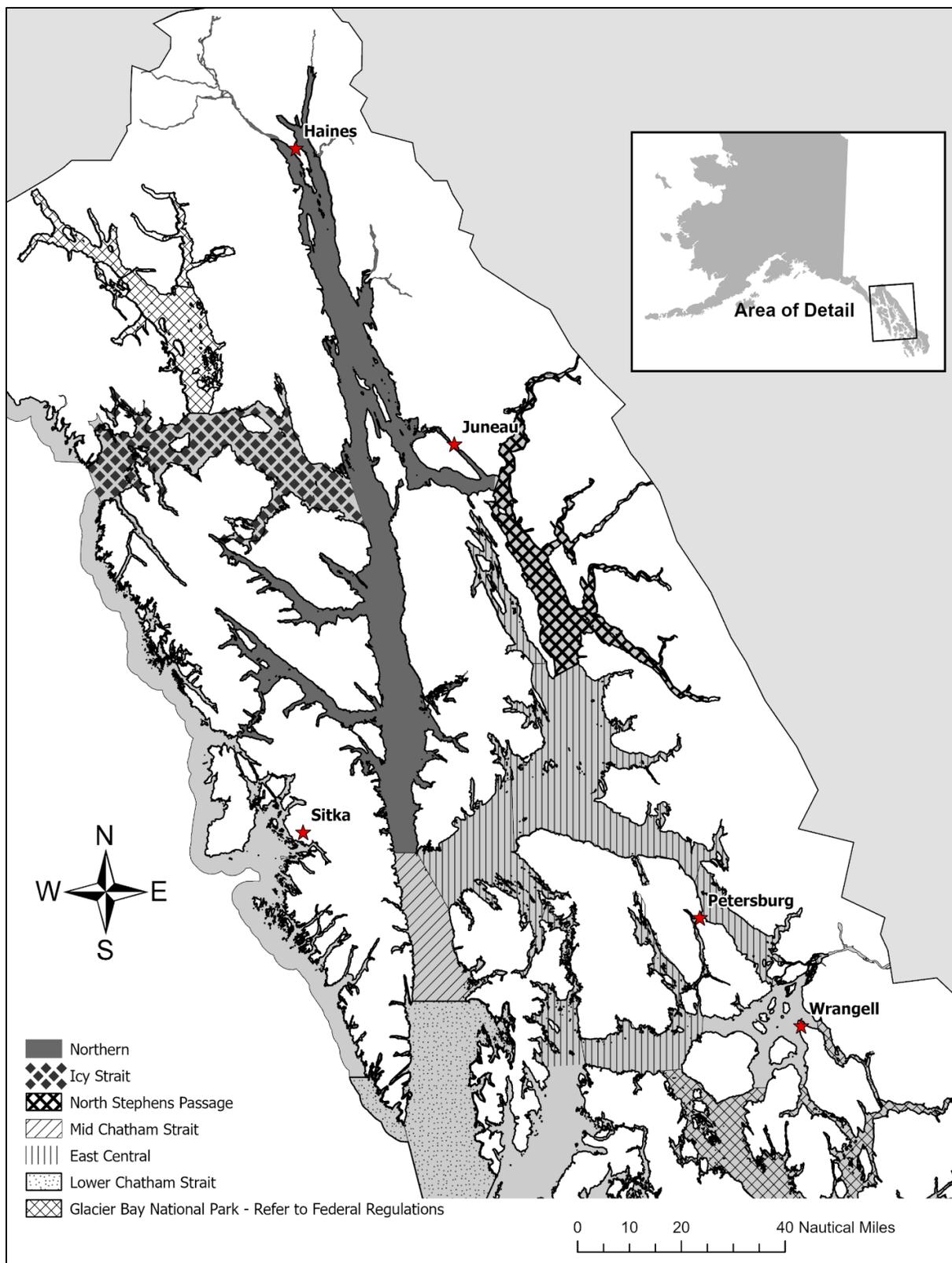


Figure 237-2.—Southeast Alaska (Registration Area A) golden king crab management areas, northern region.

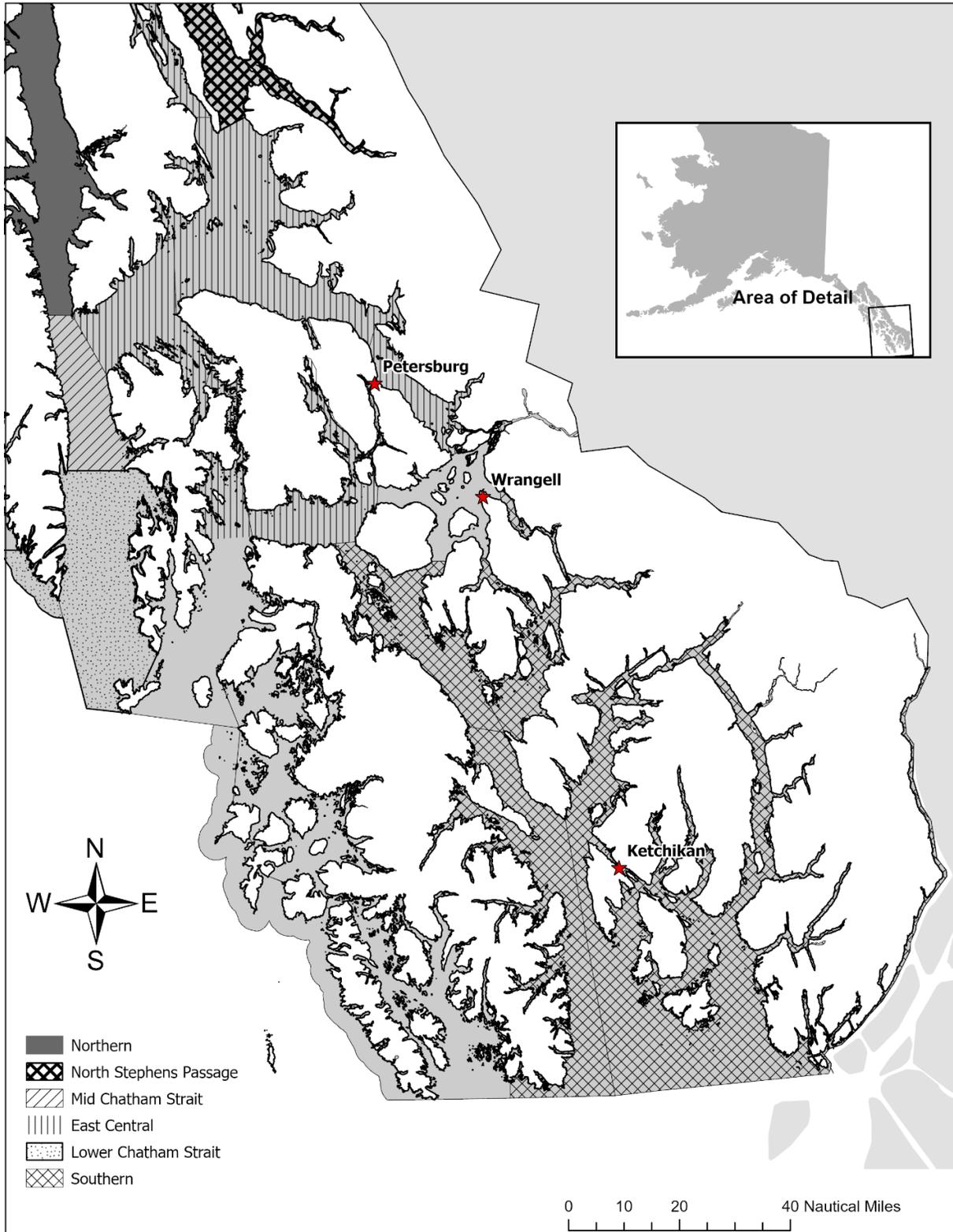


Figure 237-3.—Southeast Alaska (Registration Area A) golden king crab management areas, southern region.

PROPOSAL 238 – 5 AAC 34.107 Description of golden king crab fishing areas within Registration Area A.

PROPOSED BY: Steve Thomassen.

WHAT WOULD THE PROPOSAL DO? This would expand the defined Southern Area in the golden king crab (GKC) commercial fishery in Registration Area A to include all waters of Section 3-A.

WHAT ARE THE CURRENT REGULATIONS? The Southeast Alaska, Registration Area A, GKC commercial fishery includes 7 different management areas with associated guideline harvest ranges (GHRs): East Central (0–225,000 lb), North Stephens Passage (0–25,000 lb), Northern (0–145,000 lb), Icy Strait (0–55,000 lb), Mid Chatham Strait (0–150,000 lb), Lower Chatham Strait (0–50,000 lb), and Southern (0–25,000 lb). Boundaries of these management areas are defined in regulation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It would open additional areas to golden king crab fishing within the Southern management area, adding statistical areas 103-11, 103-15, 103-21, 103-23, 103-25, 103-30, and 103-40 (Figure 238-1). This would add an additional 540 square miles to the current 3,476 square miles of the Southern management area, that could spread out the fleet. If fishing in these new areas is good, this could increase the pace of the fishery, reaching the guideline harvest level (GHL) faster. If there were other fisheries being prosecuted in this expanded area, there may be gear conflicts.

BACKGROUND: Refer to Proposal 237 for general background information about the golden king crab fishery.

In 1993/94, the defined traditional fishing areas of Frederick Sound, Icy Straits, and Chatham Straits were expanded from 3 areas to 5 areas with the Clarence Strait and Cape Ommaney fishing areas added (Table 237-1). At the 2005 board meeting, the Clarence Strait Area was renamed the Southern Area. The Southern golden king crab management area was extended to include all of District 7-A in 2022.

The area proposed to be added does contain substrate and depths where golden king crab may reside, we have no historical harvest from the proposed area extension. For the past 5 seasons, the Southern management area has averaged 20,880 lb of golden king crab by 4 permit holders, 4% of the total annual harvest (Table 237-2).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. The department will not increase the GHL if this proposal is adopted. As a result, adding area could increase the pace of the fishery, reaching the GHL faster.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

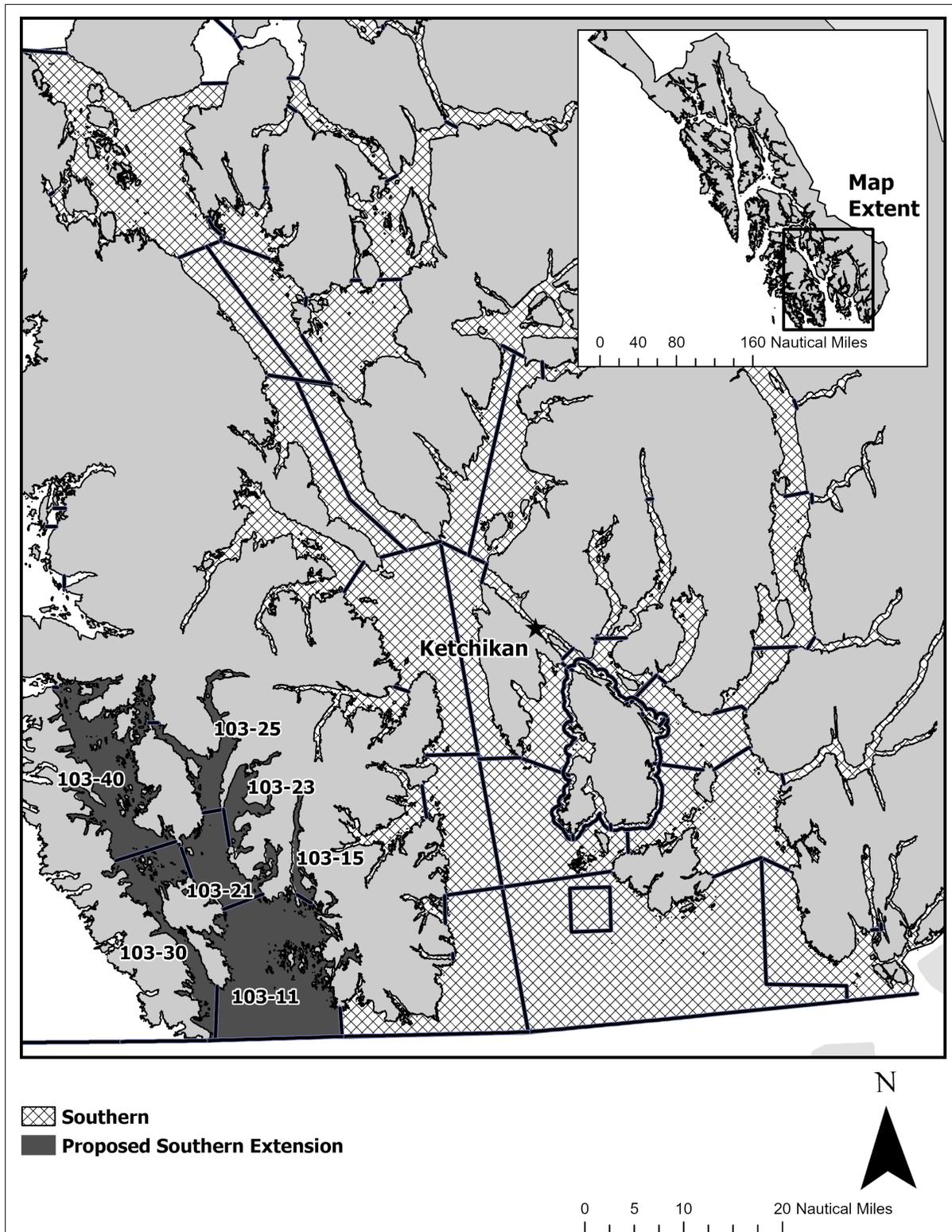


Figure 238-1.—Registration Area A golden king crab fishery Southern Area, existing boundaries and proposed boundary extension.

PROPOSAL 239 – 5 AAC 34.107. Description of golden king crab fishing areas within Registration Area A. and 5 AAC 34.115. Guideline harvest ranges for Registration Area A.

PROPOSED BY: Steve Thomassen and Bae Olney Miller.

WHAT WOULD THE PROPOSAL DO? It would divide the defined Northern Area of the golden king crab fishery in Registration Area A into 2 areas and split the current guideline harvest range (GHR) between the 2 new areas.

WHAT ARE THE CURRENT REGULATIONS? The golden king crab fishery is split into 7 management areas that are defined in regulation and have associated GHRs (Figure 237-2): East Central (0-225,000 lb), North Stephens Passage (0-25,000 lb), Northern (0-145,000 lb), Icy Strait (0-55,000 lb), Mid Chatham Strait (0-150,000 lb), Lower Chatham Strait (0-50,000 lb), and Southern (0-25,000 lb).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would separate management areas with high tidal influence and low tidal influence on gear. The current Northern GHR would be split between the 2 newly created areas. Splitting the Northern Area could make management more reactive to localized depletion on a smaller scale. It is unknown how this proposed split will affect fleet distribution.

BACKGROUND: Please refer to Proposal 237 for background information about the golden king fishery.

The Northern Area for the golden king crab commercial fishery in Registration Area A extends 147 nautical miles north to south (Figure 237-2). Since 2000, the proposed Upper Northern Area has had 56 percent of the total Northern Area harvest, and the proposed Lower Northern Area has had 44 percent of the total. If this historical split was applied to the upper limit of the GHR of the Northern Area, it would be 81,200 lb for the proposed upper portion and 63,800 lb for the proposed lower portion. Since the 2000 season in the Northern Area, the average number of permits fished annually is 14 (Table 237-2) and the average season length is 46 days. The size of the 2 areas created by the proposed split would be 953 sq miles for upper and 830 sq miles for the lower; it should be noted that much of these areas are not golden king crab habitat (Figure 239-1). In 2021, the Northern Area was closed to commercial golden king crab fishing in early April due to stock health concerns and for the 2022 season, it remained closed due to conservation concerns. For the following 2 seasons, 2023 and 2024, the Northern Area closed to commercial golden king crab fishing in early March after reaching its guideline harvest level.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. If considered, the department recommends splitting the GHR based off historical logbook and fish ticket harvest information in these 2 previously undefined areas.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

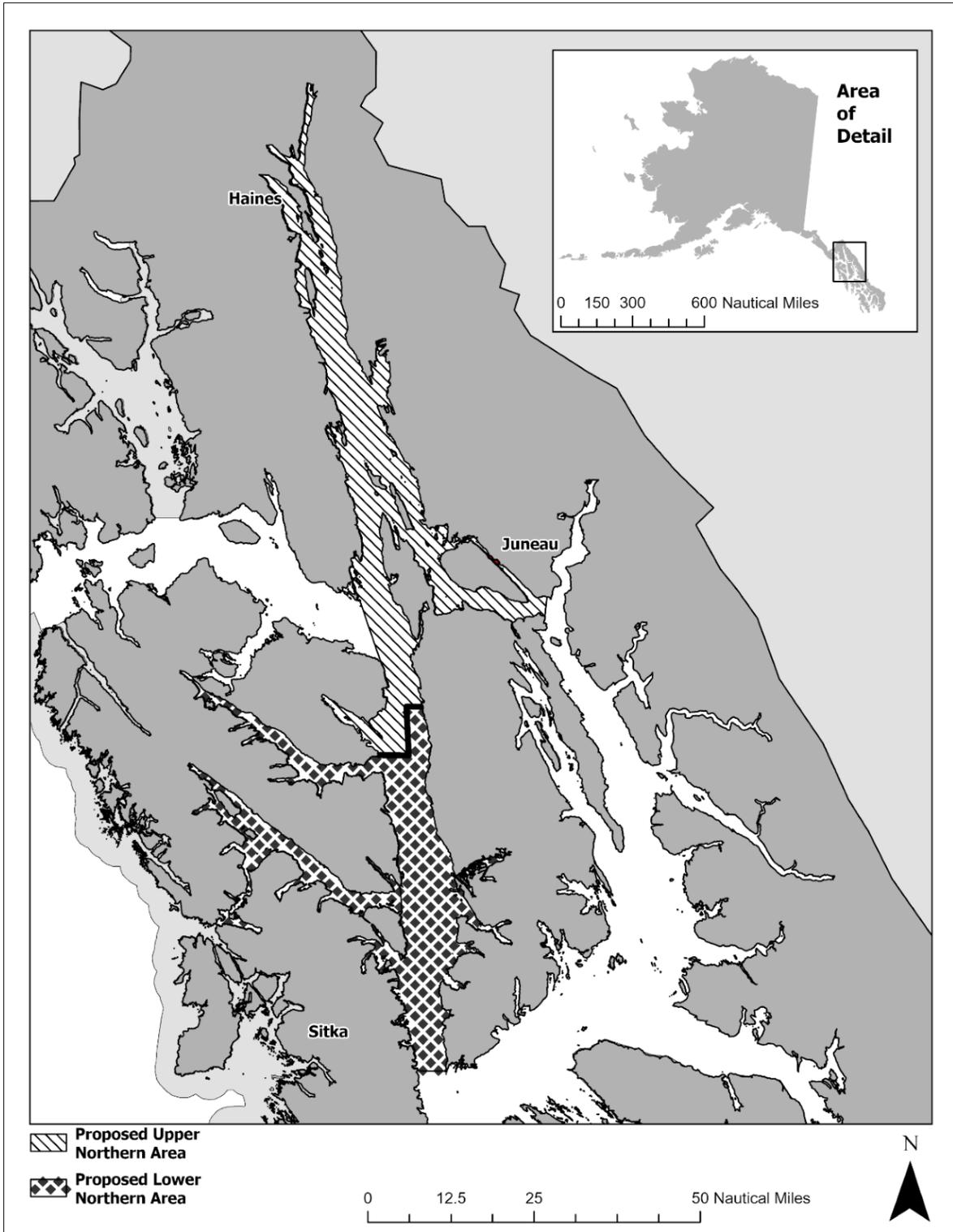


Figure 239-1.—Northern golden king crab management area, current and proposed boundary split.

PROPOSAL 240 – 5 AAC 34.109 Area A registration.

PROPOSED BY: Jared Bright.

WHAT WOULD THE PROPOSAL DO? It would allow participants in the Registration Area A Tanner and golden king crab (GKC) fisheries to have Tanner crab aboard their vessel while fishing for golden king crab in a closed commercial Tanner crab area.

WHAT ARE THE CURRENT REGULATIONS? Regulations require vessels to register for the Tanner and GKC fisheries in Registration Area A, and if they have both permits, they can register for both fisheries and participate in them concurrently. Before a vessel that is registered to fish for both golden king crab and Tanner crab in Registration Area A may be used to fish for GKC in a portion of Registration Area A that is closed to commercial Tanner crab fishing, all Tanner crab must be removed from the vessel and the vessel owner or the owner's agent, must have the vessel's Tanner crab registration invalidated by the department. After the Tanner crab registration is invalidated, Tanner crab may not be retained or sold from that vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? When the commercial Tanner crab fishery closes in a portion of Registration area A, this would allow vessels registered to have gear set for the commercial GKC fishery in an area closed to Tanner crab fishing, without having to unregister from the Tanner crab fishery or unload their Tanner crab harvest. They could bait and set their GKC pots, deliver their Tanner crab to a processor, unregister for the Tanner crab fishery after offload, and then head back out to fish for GKC. They would not be allowed to retain Tanner crab in any pots hauled after the Tanner crab closure.

Various CFEC pot permit types exist for king and Tanner crab: K49A (red/blue king and Tanner crab), K59A (golden king and Tanner crab), K69A (red/blue/golden king and Tanner crab), and T19A (Tanner crab). Currently, there are 39 active permit holders that would be affected by this regulation change (own both GKC and Tanner crab permits).

BACKGROUND: The Registration Area A commercial GKC and Tanner crab fisheries open concurrently by regulation. Regulations allow simultaneous registration for both fisheries. The vessels registered for both fisheries often begin the season targeting Tanner crab and then switch to golden king crab after a couple of days.

In the past 2 seasons, the Tanner crab fishery has been open in the core areas for 6 days and in the non-core areas for 11 days. For both 2023 and 2024, the first closure of the GKC fishery occurred in East Central Area after 4 days. The second closure in 2023 occurred in Icy Strait after 6 days and for 2024, the second closure occurred in Northern Area, 14 days after the fishery opened. There were subsequent area closures in both years throughout the region, announced by emergency order.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. There is concern that this would allow a permit holder to continue to haul and retain Tanner crab while fishing for golden king crab in an area closed to commercial Tanner crab fishing. This would greatly complicate enforcement of closed waters and closed season regulations.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

RED KING CRAB (3 PROPOSALS)

PROPOSAL 241 – 5 AAC 34.128. Operation of other gear in Registration Area A.

PROPOSED BY: Jared Bright.

WHAT WOULD THE PROPOSAL DO? Allow a vessel participating in the Registration Area A commercial king crab fishery to operate groundfish coil spring pots, commonly known as slinky pots, to catch bait.

WHAT ARE THE CURRENT REGULATIONS? Statewide regulations do not allow a person or a vessel who is validly registered for a commercial king crab fishery to operate commercial, subsistence, sport, or personal use pots other than commercial king crab pots unless they stop participating in the commercial king crab fishery. In Registration area A, it is lawful to operate commercial shrimp or Dungeness pots during an open king crab season if the seasons overlap.

For the Registration Area A golden king crab commercial fishery, only 80 pots are allowed to be operated from a vessel; these crab pots have specific webbing size, webbing coverage, and escape ring requirements to allow the escapement of undersized king crab.

Groundfish pot gear regulations stipulate a maximum individual tunnel eye opening of 36 inches and a sidewall containing an escapement opening equal to or exceeding 18 inches, though collapsible groundfish pots “slinky” pots must contain 2 escapement openings. All sablefish pots, including slinky pots, must have at least 2 circular escape rings with a minimum inside diameter of 3 and 3-4ths of an inch. Sablefish permit holders operating longlined pot gear must have a buoy on each end of the longline that must be marked with the ADF&G number of the vessel operating the gear and have the letters “LP” to designate the gear as longlined groundfish pot gear. Groundfish pots used for any other species or fishery (e.g., Pacific cod or bait fishery) may not be longlined according to current regulations and these pots are not required to have escape rings.

In addition, current groundfish regulations allow for a validly registered king crab vessel to bait fish using gear other than pots during the fishery. They are required to record the weight and species of the bait taken on the fish ticket using the gear card (king or Tanner crab) for the species for which the bait was intended.

In some other State of Alaska crab fisheries, regulations allow groundfish pots to be operated during these fisheries to catch bait. These regulations also include groundfish bait pots limits and require the configuration of these pots to adhere to groundfish pot definitions.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It would allow commercial king crab fishery participants to operate commercial king crab pots and groundfish slinky pots concurrently. This could add more pot gear to the grounds, complicate law enforcement of pot limits, and potentially create conflicts with concurrent fisheries.

BACKGROUND: The statewide regulations that prohibit subsistence, commercial, sport, and personal use pot fishing 14 days prior to a commercial king or Tanner crab season were established by the board in 1988. A prohibition on subsistence, sport, and personal use pot fishing during the 14 days following the season was added beginning in 1990. Finally, the clarification that personal use fishing is also prohibited during the commercial season was added in 1999.

The Southeast Alaska specific regulation excepting commercial shrimp and Dungeness crab fishing from the 14 day stand down period and allowing concurrent fishing during the commercial king and Tanner crab season were established at the 1996 board meeting. The regulations extending the stand down period from 14 days to 30 days in Registration Area A were added at the 1999 board meeting in order to completely discourage stockpiling of Tanner and king crab.

At the 2005 board meeting, a proposal to allow the operation of subsistence or personal use Dungeness or shrimp pots during commercial king and Tanner crab seasons failed. In 2015, there was a proposal to allow the operation of commercial pot gear for groundfish before and during a commercial king or Tanner crab season that failed.

In Southeast Alaska, participants in the state waters sablefish fisheries have been increasingly using groundfish coil spring pots, “slinky pots”. They are lighter than conventional groundfish pots, stack flatter on the vessel deck, and typically have less bycatch than longline gear. In addition, whale depredation, that has been occurring with groundfish longline fishing, has decreased with this modern pot gear. Depending on the habitat, these slinky pots may catch sablefish in addition to Pacific cod and other groundfish.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because it has no defined pot limits, marking requirements, or depth restrictions. In addition, it would complicate enforcement of pot limits. Currently, bait fishing for groundfish with longline gear is allowed by Tanner and golden king crab fishery participants during these crab fisheries. Longline gear is generally associated with higher levels of bycatch than fishing with pots. The department does support the use of gear with low levels of bycatch.

Additional concurrent fisheries will further complicate enforcement, specifically pot identification and limits. The department is concerned with bycatch of sablefish, which slinky pots have been shown to effectively catch. In this proposal, it is unclear which species may not be retained, such as sablefish, and if they would be returned to the sea unharmed.

Tanner and golden king crab fisheries open concurrently with some participants registering for both fisheries. If this proposal is adopted, the companion Proposal 248, that would allow slinky pots to be used in the Tanner commercial fishery to catch bait, should be considered.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 242 – 5 AAC 34.111. Section 11-A Red and Blue King Crab Management and Allocation Plan.

PROPOSED BY: Territorial Sportsmen Inc.

WHAT WOULD THE PROPOSAL DO? It would allocate 100% of the Section 11-A red king crab guideline harvest level (GHL) to the personal use fishery, 70% for summer harvest and 30% for fall/winter harvest.

WHAT ARE THE CURRENT REGULATIONS? The Alaska Board of Fisheries found that there are competing demands among the personal use and commercial user groups for red and blue king crab in Section 11-A (Figure 242-1) of the Southeastern Alaska Area. The result was an allocation for commercial and personal use fisheries, with winter and summer components for personal use.

The department estimates biomass regionally using a catch-survey analysis (CSA) model. If there is a harvestable surplus for Section 11-A, the summer personal use fishery (July 1-September 30) is allocated 50% of the harvest and the winter personal use fishery (October 1-March 31) is allocated 10% of the harvest. Bag limits are set by the department to target the guideline harvest levels (GHLs) for these summer and winter fisheries. Permits are required to participate in the red king crab personal use fishery in Section 11-A with reporting requirements. In addition, personal use regulations guide the department to keep the seasons open as long as possible, while staying within the GHL and allocation (Table 242-1).

The commercial fishery, regionally, can be prosecuted if the harvestable surplus exceeds 200,000 lb of legal male red king crab; this fishery opens November 1 and for Section 11-A, and is allocated 40% of the GHL of the Section 11-A GHL.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would allocate all king crab harvestable surplus in Section 11-A to the personal use fishery and allow for larger personal use bag limits and a longer fishing season for the personal use fishery. In years when the commercial fishery is open, this would reduce the amount of king crab available to the commercial fishery.

Elimination of the Section 11-A biomass contribution to the calculation of the regionwide red king crab GHL would have resulted in 4 additional closures of the regionwide red king crab commercial fishery since 1994/1995: 1997/1998, 2001/2002, 2003/2004, and 2005/2006 seasons. Southeast Alaska red and blue king crab fishery is based on the sum of biomass estimates across the region. Removing the 11-A area from this estimate will make reaching the 200,000 lb threshold more difficult. 11-A has contributed 5%-29% of the commercial red king crab harvest since the 1996/97 season.

BACKGROUND: The Southeast Alaska red king crab fishery, that includes personal use and commercial fisheries, is managed consistently with the Alaska Board of Fisheries “Policy on King and Tanner Crab Resource Management”. In all of Registration Area A, the department can close an area if the abundance of crabs of various sexes and sizes is inadequate to provide for a sustained harvest, that is derived from results of the summer and fall crab surveys, or when potentially high effort precludes an orderly fishery. The regionwide commercial fishery will not open if the estimated harvestable surplus does not exceed 200,000 lb of legal male red king crab. The department determines harvest rates depending on stock health that are used to calculate GHLs.

Commercial king crab fishing has been documented in Southeast Alaska since 1960 with harvest peaking at 2.2 million lb in 1968. During the 1970/71, season harvest declined substantially to 389,373 lb. The number of permits participating peaked at 97 during the 1983/84 season. Due to a declining harvest and low stock abundance indicated by department surveys, the fishery was closed for 8 seasons (1985/86–1992/93). The fishery was reopened for the 1993/94 season with a minimum threshold of 300,000 lb and was open for the following 4 seasons before closing again for the 1998/99 season. In 2002/03, the board reduced the minimum threshold to 200,000 lb and since that time the fishery has been open sporadically with historically low harvest. The harvest over the last 3 open seasons (2005/06, 2011/12, and 2017/18) ranged from 120,002 lb (2017/18) to 209,799 lb (2005/06) (Table 242-2).

The personal use red king crab fishery in Southeast Alaska has been important to residents, near city centers and outlying areas where populations of red king crab can be found. The most popular personal use fishery is located near the largest population center in Southeastern Alaska, Juneau. For the seasons that the Section 11-A (Figure 242-1) fishery was open following 1996/97, the number of personal use red and blue king crab fishery permits issued has ranged from 1,250 (2007/08) to 3,312 (2003/04) (Table 242-3). The percentage of those permits returned has ranged from 66% to 94%, with compliance above 85% in the past 6 years (Table 242-3). Reported harvest from the permits peaked in 2003/04 at 11,521 crabs, corresponding to the highest number of permits issued. Most of the harvest occurs during the summer, over 75%, with the exception of the 2017/18 and 2018/19 seasons, when 46% and 54% of the harvest was in the summer, respectively. In the past 6 seasons that Section 11-A has been open to personal use fishing, the harvest has stayed within the allocation (65% to 96%), with the exception of the 2017/18 season harvest exceeding the allocation by 2% (Table 242-1).

For Section 11-A, the department uses the summer crab survey to calculate a GHL, that in turn feeds into the red and blue king crab allocation plan. If the harvestable surplus for the commercial fishery within the region exceeds 200,000 lb of red king crab, it will open for 40% of the GHL. Permits for the region outside of Section 11-A have been required since 2018.

Section 11-A GHL allocation established by the board have changed over time. Beginning in 1995, the split was: 45% for commercial, 46% for summer personal use, and 9% for winter personal use. Through the years, changes have been made to these regulations, and at one point if there was no commercial fishery, this surplus was reallocated to the personal use fishery, but this regulation was rescinded in 2009.

The department annually evaluates stock status and establishes the GHLS for the Southeast red king crab using data from fishery-independent surveys (pot gear), commercial fishery catch per unit of effort, and biological data (length, weight, and shell condition) from the surveys and fishery. In the Juneau area, that includes Section 11-A, surveys have been conducted since 1995.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 242-1.–Southeast Alaska (Registration Area A) Section 11-A red and blue king crab commercial and personal use total allowable harvest, allocations, and estimated harvest in number of crabs.

Season	Commercial fishery		Summer personal use fishery		Winter personal use fishery		Total allowable personal use harvest	
	Allocation	Harvest	Allocation	Harvest*	Allocation	Harvest*	Goal	Estimated harvest
1996/97	3,825	2,842	3,900	6,866	765	1,376	8,490	11,084
1997/98	3,750	2,830	3,800	7,342	750	678	8,300	10,850
1998/99	6,533	0	6,678	6,435	1,307	1,171	14,518	7,606
1999/00	4,964	11,173	6,200	8,393	1,241	1,570	12,405	21,136
2000/01 Initial allocation	4,140	0	5,176	–	1,035	–	–	0
2000/01 Reallocation	0	0	8,626	8,177	1,725	1,761	10,351	9,938
2001/02	7,189	8,525	8,986	8,576	1,797	1,328	17,972	18,429
2002/03	4,503	5,165	5,600	7,955	1,100	1,779	11,203	14,899
2003/04	6,462	6,987	8,078	11,131	1,616	1,382	16,156	19,500
2004/05 Initial allocation	3,868	0	4,836	–	967	–	–	0
2004/05 Reallocation	0	0	7,737	9,326	1,934	1,569	9,671	10,895
2005/06	7,161	7,079	8,952	10,078	1,790	1,399	17,903	18,556
2006/07 Initial allocation	1,720	0	2,149	–	430	–	–	0
2006/07 Reallocation	0	0	3,439	8,574	860	682	4,299	9,256
2007/08	0	0	0	2,993	0	0	0	2,993
2008/09	0	0	0	0	0	0	0	0
2009/10	0	0	0	0	0	0	0	0
2010/11	1,094	0	1,494	1,342	298	409	1,792	1,751
2011/12	853	960	1,023	1,081	256	284	2,132	2,325
2012/13–2016/17	Both commercial and personal use closed							
2017/18	2,410	2,516	3,012	1,735	602	2,148	6,024	6,339
2018/19	1,735	0	2,168	1,866	434	1,634	2,602	3,500
2019/20	1,253	0	1,566	1,614	313	105	1,879	1,719
2020/21	1,222	0	1,527	1,369	305	212	1,832	1,581
2021/22	1,281	0	1,601	1,377	320	74	1,921	1,452
2022/23	1,247	0	1,364	1,304	273	256	1,637	1,560
2023/24	2,273	0	2,842	2,338	568	386	3,410	2,724

Table 242-2.—Southeast Alaska (Registration Area A) commercial red king crab harvest and effort by season, 1968–2022/23.

Season	Harvest (lb)	Number of landings	Number of permits
1968	2,199,722	–	19
1969	1,899,930	122	39
1969/70	1,438,226	401	33
1970/71	389,373	150	20
1971/72	670,645	183	19
1972/73	528,025	198	19
1973/74	758,103	234	29
1974/75	535,534	201	46
1975/76	356,771	170	32
1976/77	328,145	174	35
1977/78	234,494	138	34
1978/79	443,639	165	34
1979/80	658,087	229	39
1980/81	532,674	193	35
1981/82	524,109	171	46
1982/83	412,605	115	58
1983/84	280,681	119	97
1984/85	270,495	121	95
1985/86–1992/93	Fishery closed		
1993/94	202,384	180	83
1994/95	256,267	246	84
1995/96	357,815	203	73
1996/97	428,549	218	79
1997/98	308,322	187	76
1998/99	Fishery closed		
1999/00	289,548	215	77
2000/01	Fishery closed		
2001/02	296,967	177	77
2002/03	233,630	154	75
2003/04	193,759	93	67
2004/05	Fishery closed		
2005/06	209,799	112	58
2006/07–2010/11	Fishery closed		
2011/12	176,402	103	54
2012/13–2016/17	Fishery closed		
2017/18	120,002	119	48
2018/19–2022/23	Fishery closed		

Table 242-3.–Southeast Alaska (Registration Area A) Section 11-A red and blue king crab personal use fishery information by season, 1996/97–2022/23.

Season	Permits issued	Permits returned	% returned	Reported harvest	% summer harvest
1996/97	2,117	1,600	76	6,229	83
1997/98	1,418	939	66	5,309	92
1998/99	1,649	1,394	85	6,432	84
1999/00	1,908	1,563	82	8,161	84
2000/01	2,035	1,846	91	9,002	82
2001/02	2,070	1,942	94	9,298	87
2002/03	3,039	2,681	88	8,604	82
2003/04	3,312	3,049	92	11,521	89
2004/05	3,224	2,931	91	9,739	86
2005/06	2,977	2,383	80	9,301	88
2006/07	2,697	1,843	68	6,326	93
2007/08	1,250	912	73	2,192	100
2008/09	Fishery Closed				
2009/10	Fishery Closed				
2010/11	1,538	1,341	74	1,290	77
2011/12	1,431	1,341	94	1,275	79
2012/13–2016/17	Fishery Closed				
2017/18	2,584	2,421	94	3,627	46
2018/19	1,197	1,029	86	2,567	54
2019/20	1,789	1,638	92	1,542	93
2020/21	1,611	1,379	86	1,352	88
2021/22	1,524	1,306	86	1,241	95
2022/23	1,484	1,391	94	1,459	83

Table 242-4.-Section 11-A red and blue king crab personal use openings and fishery regulations, 1996/97–2022/23.

Season	Type of Permit	Bag Limit	Season Limit			
1996/97 Summer	Individual	3 crab/person	No limit			
1996/97 Winter						
1997/98 Summer	Seasonal household	2 crab/person	10/20 Crab per individual/household for summer and winter season			
1997/98 Winter						
1998/99 Summer						
1998/99 Winter						
1999/00 Summer						
1999/00 Winter						
2000/01 Summer (Opening 1)				1 crab/person	5/10 crab per individual/household in summer	
2000/01 Summer (Opening 2)				2 crab/person	10/ crab per individual/household in summer	
2000/01 Summer (Opening 3)				3 crab/person	20/40 crab per individual/household in summer	
2000/01 Winter				Either winter or summer household	2 crab/person	10/20 crab per individual/household in winter
2001/02 Summer						
2001/02 Winter						
2002/03 Summer	20 crab per household					
2002/03 Winter		1 crab/permit				
2003/04 Summer		2 crab/person				
2003/04 Winter		1 crab/permit				
2004/05 Summer		2 crab/person				
2004/05 Winter		1 crab/permit				
2005/06 Summer		2 crab/erson				
2005/06 Winter		1 crab/permit				
2006/07 Summer		2 crab/person				
2006/07 Winter		1 crab/permit	6 crab per household			
2007/08 Summer		2 crab/permit	10 crab per household			

-continued-

Table 242-4.– page 2 of 2.

Season	Type of Permit	Bag Limit	Season Limit
2007/08 Winter	Season closed		
2008/09 Summer/winter			
2009/10 Summer/winter			
2010/11 Summer	Summer household	2 crab/permit	2 crab per household
2010/11 Winter	Winter household	1 crab/permit	
2011/12 Summer	Summer household	2 crab/permit	
2011/12 Winter	Winter household	1 crab/permit	
2012/13 Summer/winter	Season closed		
2013/14 Summer/winter			
2014/15 Summer/winter			
2015/16 Summer/winter			
2016/17 Summer/winter			
2017/18 Summer	Summer household	2 crab/permit	2 crab per household
2017/18 Winter	Winter household	2 crab/permit	6 crab per household
2018/19 Summer	Summer household	2 crab/permit	2 crab per household
2018/19 Winter	Winter household	2 crab/permit	3 crab per household
2019/20 Summer	Summer household	2 crab/permit	2 crab per household
2019/20 Winter	Winter household	1 crab/permit	1 crab per household
2020/21 Summer	Summer household	2 crab/permit	2 crab per household
2020/21 Winter	Winter household	1 crab/permit	1 crab per household
2021/22 Summer	Summer household	2 crab/permit	2 crab per household
2021/22 Winter	Winter household	1 crab/permit	1 crab per household
2022/23 Summer	Summer household	3 crab/permit	3 crab per household
2022/23 Winter	Winter household	1 crab/permit	1 crab per household

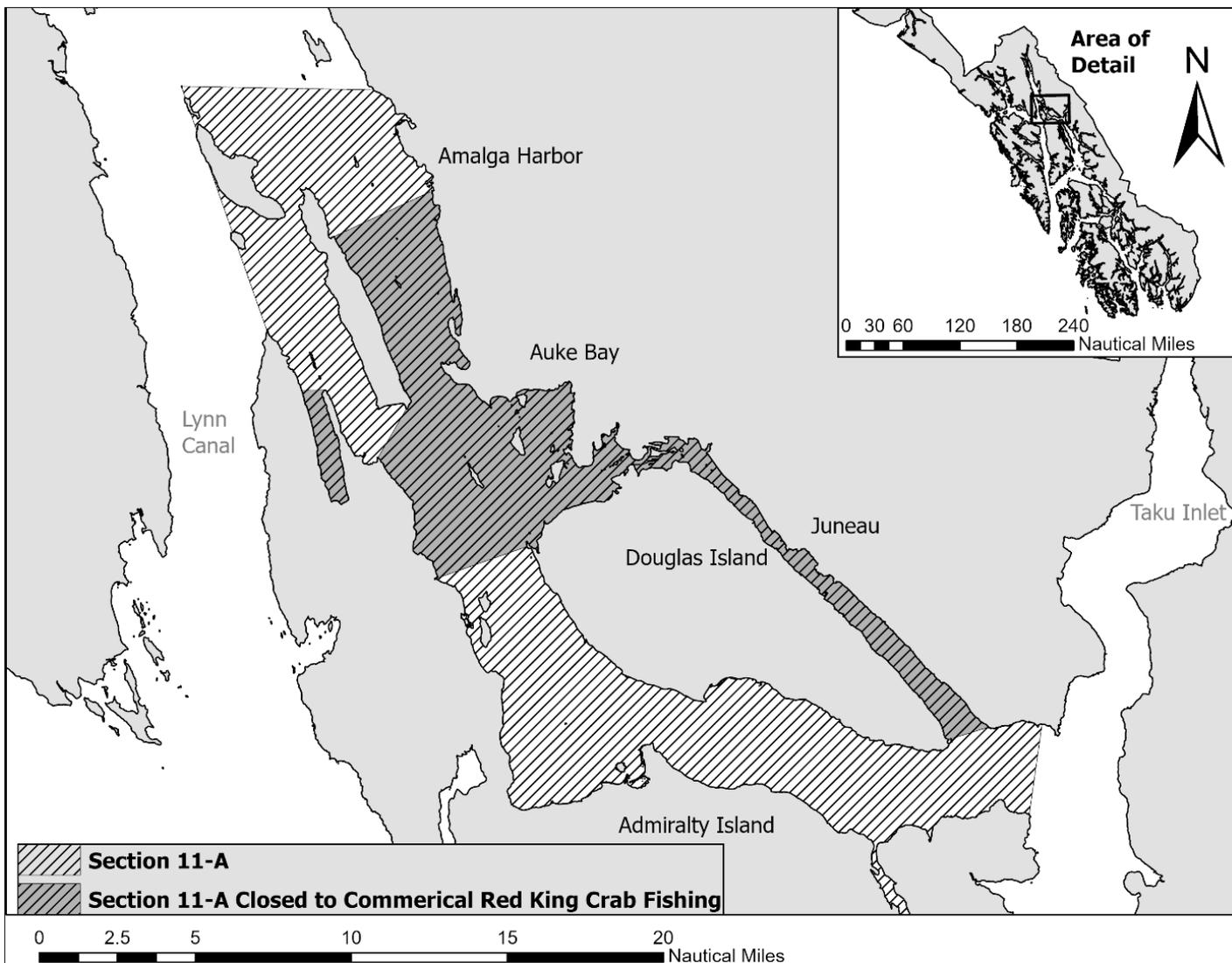


Figure 242-1.—Southeast Alaska (Registration Area A) Section 11-A boundaries, including the portion closed to commercial red king crab fishing.

PROPOSAL 243 – 5 AAC 34.113. Southeast Alaska Red King Crab Management Plan; 5 AAC 34.125. Lawful gear for Registration Area A; and 5 AAC 77.664. Personal Use King Crab Fishery.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? It would amend the management plan to allow a red king crab commercial fishery at lower levels of abundance using an individual catch limit (ICL), identify the biomass estimate triggers, and add a sunset clause to this new plan. Also, the proposal would establish criteria, without the pre-existing threshold, under which personal use red king crab limits could be reduced by the department.

WHAT ARE THE CURRENT REGULATIONS? Currently, a commercial red and blue king crab fishery will not open in Southeast Alaska and personal use bag and possession limits may be reduced if the estimated biomass of legal male red king crab is below 200,000 lb.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? At lower abundance levels, prosecuting a fishery where registered permit holders could not exceed an ICL would allow the department to conduct a modest fishery, targeting a guideline harvest level (GHL) less than 200,000 lb. The GHL would continue to be set based on the annual crab stock assessment surveys conducted within Southeast Alaska that have been conducted for more than 40 years. Also, the department would have flexibility to adjust personal use bag limits based on preseason estimates. This could increase commercial king crab harvest by an unknown amount.

BACKGROUND: Commercial king crab fishing has been documented in Southeast Alaska since 1960 with harvest peaking at 2.2 million lb in 1968. During the 1970/71 season, harvest declined substantially to 389,373 lb, resulting in the minimum legal size to be increased from 6.5 to 7 inches carapace width (CW; Table 243-1). Due to a declining harvest and low stock abundance indicated by department surveys, the fishery was closed for 8 seasons (1985/86–1992/93). The fishery was reopened for the 1993/94 season with a minimum threshold of 300,000 lb and was open for the following 4 seasons before closing again for the 1998/99 season. In 2002/03, the board reduced the minimum threshold to 200,000 lb and since that time the fishery has been open sporadically with historically low harvests (Table 243-1).

Before 1977, the department used harvest levels to control the fishery and after 1977, guideline harvest ranges (GHRs) were implemented. The first GHR of 200,000–400,000 lb was established in 1978. The GHR was increased to 300,000–600,000 lb in 1979 based on industry recommendations. Since the 1980/81 season, allowable harvests, expressed as either GHLs or GHRs, have been based on results from the red king crab index of abundance survey. Beginning in 1988 a threshold of 300,000 lb of surplus legal sized crab had to be available before the commercial fishery would be opened. In 2002, this threshold was reduced to 200,000 lb by the board based on industry-driven market considerations. Part of this threshold reduction included a 3-year sunset clause. The sunset clause was removed in 2005 and the current threshold of 200,000 lb has been in place since that time.

Current management of the commercial red king crab fishery is based on the *Southeast Alaska Red King Crab Management Plan* (5 AAC 34.113) and policies that establishes a season (November–January) to avoid sensitive life history stages of reproduction including mating and molting, restricting harvest to males only with a minimum legal-size limit of 7 inches CW, gear restrictions,

limit participation, and set annual GHGs based on appropriate harvest rates and results of an annual stock assessment survey.

The *Policy on King and Tanner Crab Resource Management* was adopted by the board in 1993. Key elements include the following: (1) provisions to maintain an adequate abundance of various size classes of males and females necessary to provide for sustained harvests and stock conservation, (2) an applicable harvest rate based on legal and mature male abundance, (3) a GHG based on stock conditions for each fishing area, (4) a minimum harvest threshold of legal male abundance, (5) ability to manage and conduct an orderly fishery, and (6) employ conservative management when information is lacking.

Additional elements used to manage the fishery are included in regulations concerning allocation between commercial and personal use fishermen in Section 11-A, lawful gear, and closed waters. A mandatory call-in program was implemented for all commercial seasons after the success with a voluntary call-in program during the 2001/02 season.

Please see proposal 242 for background information on Southeast Alaska commercial and personal use red king crab fisheries in Section 11-A.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Since submitting this proposal, the department has become aware of some management concerns that will occur if adopted. When the Southeast red and blue king crab commercial fishery is open, it is managed for 8 different GHGs (survey areas and non-surveyed areas). If this proposal is adopted, fishers will be able to harvest their ICL across all areas that are opened. If the fishery is opened with a harvestable surplus less than 200,000 lb, some of these areas may have small GHGs, depending on their stock status. In the past, the department has used its authority to set openings for areas with low GHGs as short as 24 hr. With the implementation of this proposal, it will be difficult to limit time without requiring preregistration for a given area. This could result in closures with portions of the GHG not being harvested within given areas if effort is high. The last 2 fisheries that were prosecuted remained open for 13 days and 27 days, respectively. With this new ICL system, department staff will need to manage the fishery for a prolonged amount of time because fishers would be allowed to fish their ICL up to January 24 (up to 85 days). In addition, department port samplers will also be needed over this period to gather biological information from sporadic deliveries.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 243-1.—Southeast Alaska (Registration Area A) commercial red king crab harvest and effort by season, 1968–2022/23.

Season	Harvest (lb)	Number of landings	Number of permits
1968	2,199,722	—	19
1969	1,899,930	122	39
1969/70	1,438,226	401	33
1970/71	389,373	150	20
1971/72	670,645	183	19
1972/73	528,025	198	19
1973/74	758,103	234	29
1974/75	535,534	201	46
1975/76	356,771	170	32
1976/77	328,145	174	35
1977/78	234,494	138	34
1978/79	443,639	165	34
1979/80	658,087	229	39
1980/81	532,674	193	35
1981/82	524,109	171	46
1982/83	412,605	115	58
1983/84	280,681	119	97
1984/85	270,495	121	95
1985/86–1992/93	Fishery closed		
1993/94	202,384	180	83
1994/95	256,267	246	84
1995/96	357,815	203	73
1996/97	428,549	218	79
1997/98	308,322	187	76
1998/99	Fishery closed		
1999/2000	289,548	215	77

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Season	Harvest (lb)	Number of landings	Number of permits
2000/01	Fishery closed		
2001/02	296,967	177	77
2002/03	233,630	154	75
2003/04	193,759	93	67
2004/05	Fishery closed		
2005/06	209,799	112	58
2006/07–2010/11	Fishery closed		
2011/12	176,402	103	54
2012/13–2016/17	Fishery closed		
2017/18	120,002	119	48
2018/19–2022/23	Fishery closed		

TANNER CRAB (6 PROPOSALS)

PROPOSAL 244 – 5 AAC 35.110. Fishing season for Registration Area A.

PROPOSED BY: Petersburg Vessel Owners Association (PVOA).

WHAT WOULD THE PROPOSAL DO? It would change the criteria for setting the season start date for the Registration A commercial Tanner crab fishery to open during the smallest set of falling tides, on the date immediately following the peak high tide, from February 10 to 17.

WHAT ARE THE CURRENT REGULATIONS? In the commercial fishery, male Tanner crab may be taken only from 12:00 noon on the date with the smallest Juneau tidal range from February 10 to February 17, as announced by emergency order, through May 1.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would set the season start date for Tanner crab on the smallest set of falling tides from February 10 to February 17.

BACKGROUND: See Proposal 233 for background information.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal to simplify regulations. Because the golden king and Tanner crab seasons have historically opened concurrently, the department would encourage considering taking the same action on companion Proposal 233. Rather than basing the opening date on annually shifting subjective criteria the department would prefer a fixed annual start date for these fisheries, consistent with every other Tanner and king crab fishery in the state.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 245 – 5 AAC 35.110. Fishing season for Registration Area A.

PROPOSED BY: Petersburg Vessel Owners Association (PVOA).

WHAT WOULD THE PROPOSAL DO? It would change the start time for the Registration Area A commercial Tanner crab fishery from 12:00 noon to 8:00 a.m. on the day the fishery opens.

WHAT ARE THE CURRENT REGULATIONS? Male Tanner crab may be taken only from 12:00 noon on the date with the smallest Juneau tidal range from February 10 to February 17, as announced by emergency order, through May 1.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The Tanner crab fishery in Southeast Alaska would open 4 hours earlier and vessels participating in the fishery may be transiting and operating in the dark; monitoring of the fishery opening by law enforcement could be more difficult. With the current commercial Tanner crab harvest strategy, this would allow 4 more hours of fishing at the start of the season.

BACKGROUND: See Proposal 234 for background information.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal, provided that both Tanner and golden king crab fishery have the same start time. The Alaska Wildlife Troopers (AWT) have expressed concerns with changing the start time of king and Tanner crab fisheries; monitoring the opening of the fishery with fixed wing aircraft in low light conditions is not possible in the winter months. Because the golden king and Tanner crab seasons have historically opened concurrently, the department would encourage considering taking the same action on companion Proposal 234.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 246 – 5 AAC 35.110 Fishing season for Registration Area A.

PROPOSED BY: Petersburg Vessel Owners Association (PVOA).

WHAT WOULD THE PROPOSAL DO? This would add freezing spray to the weather criteria that would delay the start date of commercial Tanner crab fishery in Registration Area A.

WHAT ARE THE CURRENT REGULATIONS? For the Tanner crab commercial fishery in Registration Area A, the season start may be delayed if the major fishing areas in the Southeast Region contain a gale-force wind warning of 35 knots or higher. This 4:00 a.m. forecast preceding the season start date and the following day are examined. If this criterion is met, the start of the fishery will be delayed by 24 hours in the whole region. If gale warning forecasts continue, the season may continue to be delayed and will be assessed daily. Areas considered in this forecast are Southern Lynn Canal, Northern Chatham Strait, Stephens Passage, and Frederick Sound.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would add freezing spray as a secondary criterion to delay the start of the commercial Tanner crab season. This would increase the frequency of delayed season starts, would likely improve safety in the fishery, and may disadvantage operators of larger vessels or operators of vessels willing to fish in poor weather conditions. It would add another safety standard when considering the opening day of the commercial Tanner crab fishery; freezing spray would have to be in the forecast for Southern Lynn Canal, Northern Chatham Strait, Stephens Passage, and Frederick Sound.

BACKGROUND: See Proposal 235 for background information.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Tanner and golden king crab fisheries in Registration Area A open concurrently, designated permits can participate in both fisheries. If this proposal is adopted, companion Proposal 235, which would change the weather criteria for the opening of the golden king crab fishery, should be considered.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 247 – 5 AAC 35.127 Tanner crab gear storage requirements for Registration Area A.

PROPOSED BY: Petersburg Vessel Owners Association (PVOA).

WHAT WOULD THE PROPOSAL DO? It would increase the depth that Registration Area A commercial Tanner crab fishery pots can be stored to 20 fathoms.

WHAT ARE THE CURRENT REGULATIONS? In Registration Area A, a commercial Tanner crab pot can be stored in waters no deeper than 10 fathoms during the 10 days before the scheduled opening of the fishery. They must have all bait and bait containers removed with doors secured open. Pot storage can also occur 7 days after the season closure in Registration Area A or 5 days following the closure in any portion of Registration Area A. Buoys must be attached to the pot and marked or a single buoy can be attached and mark a stack of stored pots. Statewide regulations allow commercial Tanner crab pots to be stored at 25 fathoms or less and deeper than 25 fathoms with time restrictions.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would allow fishers to store their commercial Tanner crab pots in deeper waters and it will increase the overall area that is available for gear storage. This will complicate enforcement and make it more difficult to determine if pots are being fished during a closed season.

BACKGROUND: Through the years in various crab fisheries and different regions around the state, gear storage regulations have been proposed and passed to allow fishers to finish harvesting and delivering crab and following this, they will have a defined time period where they can retrieve their pots to bring back for land storage; this time period may be triggered by regional or area closures. Pot gear storage regulations include no bait or bait containers, open-door requirements, and depth restrictions.

Gear storage regulations for the Registration A Tanner crab commercial fishery began in 1986, when these pots could be placed in storage (doors open, bait containers and bait removed) in 10 fathoms or less of water. In addition, they had to be stored 500 yards from an anadromous stream, at least 10 miles from a community, and fishers had to get a permit from enforcement 11 days prior to the beginning of the season if they wanted preseason storage. In 1988, the permit was not required and in 1999, the distance from the anadromous stream and community restrictions were removed from regulation.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Current gear storage requirements aid in enforcement by making an easy delineation between fishing and non-fishing pots; habitat for these crabs is generally deeper than 10 fathoms. This proposal doesn't differentiate between storage before or after the season.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 248 – 5 AAC 35.128 Operation of other pot gear.

PROPOSED BY: Jared Bright.

WHAT WOULD THE PROPOSAL DO? It would allow a vessel participating in a Registration Area A Tanner crab fishery to operate groundfish coil spring “slinky” pots to catch bait.

WHAT ARE THE CURRENT REGULATIONS? A statewide regulation does not allow a person or a vessel who is validly registered for a commercial Tanner crab fishery to operate commercial, subsistence, sport, or personal use pots other than commercial Tanner crab pots during the commercial fishery, but there are area-specific exceptions in some fisheries.

For the Registration Area A Tanner crab commercial fishery, only 80 pots are allowed to be operated from a vessel; these crab pots have specific webbing size, webbing coverage, and escape ring requirements to allow the escapement of undersized Tanner crab.

Groundfish pot gear regulations stipulate a maximum individual tunnel eye opening of 36 inches and a sidewall containing an escapement opening equal to or exceeding 18 inches, though collapsible groundfish pots “slinky” pots must contain 2 escapement openings. All sablefish pots, including slinky pots, must have at least 2 circular escape rings with a minimum inside diameter of 3 and 3-4ths of an inch. Sablefish permit holders operating longlined pot gear must have a buoy on each end of the longline that must be marked with the ADF&G number of the vessel operating the gear and have the letters “LP” to designate the gear as longlined groundfish pot gear. Groundfish pots used for any other species or fishery (e.g., Pacific cod or bait fishery) may not be longlined according to current regulations and these pots are not required to have escape rings.

Current groundfish regulations allow for a validly registered Tanner crab vessel to bait fish using gear other than pots during the fishery. They are required to record the weight and species of the bait taken on the fish ticket using the gear card (king or Tanner crab) for the species for which the bait was intended.

In some other State of Alaska crab fisheries, regulations allow groundfish pots to be operated during these fisheries to catch bait. These regulations also include groundfish bait pots limits and require the configuration of these pots to adhere to groundfish pot definitions.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It would allow commercial Tanner crab fishery participants to operate commercial king crab pots and groundfish slinky pots concurrently. This could add more pot gear to the grounds, complicated law enforcement of pot limits, and potentially create conflicts with concurrent fisheries.

BACKGROUND: Please refer to Proposal 241 for background information.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because it has no defined pot limits, marking requirements, or depth restrictions. In addition, it would complicate enforcement of pot limits. Currently, bait fishing for groundfish with longline gear is allowed by Tanner and golden king crab fishery participants during these crab fisheries. Longline gear is generally associated with higher levels of bycatch than fishing with pots. The department does support the use of gear with low levels of bycatch.

Additional concurrent fisheries will further complicate enforcement, specifically pot identification and limits. The department is concerned with bycatch of sablefish, which slinky pots have been

shown to effectively catch. In this proposal, it is unclear which species may not be retained, such as sablefish, and if they would be returned to the sea unharmed.

Tanner and golden king crab fisheries open concurrently with some participants registering for both fisheries. If this proposal is adopted, the companion Proposal 241, that would allow slinky pots to be used in the king crab commercial fishery to catch bait, should be considered.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 249 – 5 AAC 35.128. Operation of other gear in Registration Area A.

PROPOSED BY: Petersburg Vessel Owners Association (PVOA).

WHAT WOULD THE PROPOSAL DO? It would allow Tanner crab commercial fishery participants to operate pot gear for subsistence, personal use, or sport fisheries after unregistering from the commercial Tanner crab fishery.

WHAT ARE THE CURRENT REGULATIONS? Statewide regulations specify that during a commercial Tanner crab fishery, a person or vessel validly registered for that fishery may not operate commercial, subsistence, sport, or personal use pots other than commercial Tanner crab pots. The exception is that a person or vessel may unregister from the commercial Tanner crab fishery and instead operate commercial pots other than Tanner crab pots if the vessel's Tanner crab pots are put in storage as specified in the regulations. Also, the vessel owner, or the owner's agent, must contact a representative of the department in person, and request that the Tanner crab registration be invalidated. Southeast regulations allow the simultaneous operation of commercial Tanner crab, golden king crab, Dungeness crab, and shrimp pots, if the commercial fisheries are open at the same time.

During the 14 days after the regulatory close of the commercial Tanner crab season, which is March 31, in Registration Area A, a person or vessel that participated in a commercial Tanner crab fishery may void their registration with the department and operate commercial, subsistence, sport, or personal use pots.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This could increase the harvest of Tanner crab in the subsistence, personal use, and sport fisheries if commercial Tanner crab fishers do not have to wait to participate in those fisheries until the entire commercial fishery closes.

BACKGROUND: In 2003/04, the department began setting different season lengths in the currently designated core and noncore Tanner crab fishery areas. Core areas were defined as areas that had a historically high level of effort and Tanner crab harvest, and noncore areas were designated as zones, that were given an extended amount of fishing time to allow for exploratory fishing in nontraditional fishing grounds. Defined fishing areas have been modified throughout the modern fishery and are included in the *Registration Area A Tanner crab harvest strategy* (5 AAC 35.113), that was passed in 2009.

In 2018, the board passed a proposal to expand waters of king and Tanner crab in Registration Areas A and D to include all waters from zero to 200 miles offshore; prior to that, commercial Tanner crab fishing in the EEZ was conducted under a commissioner's permit. Although the participation in the Tanner crab commercial core and noncore areas has been consistent, harvest and effort in the exploratory areas has not; the season extends until March 31. With this longer Tanner crab commercial season, regulations do not allow for commercial fishery participants to set pots for the subsistence, personal use, or sport fisheries until after the closure of the commercial Tanner crab fishery.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal and has no conservation concerns. Before the outside exploratory areas were added to regulation in 2018, the commercial Tanner crab fishery would close in all of Registration Area A (core and noncore areas) after 10–12 days, when permit holders could unregister, but were required to wait until 14 days

after the close of the fishery in order to operate subsistence, sport, or personal use pot gear. Most of the fleet is done fishing after the core and noncore areas are closed and would like to subsistence, sport, or personal use fish for other species using pot gear from the end of the fishery through March 31.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

DUNGENESS CRAB (13 PROPOSALS)

PROPOSAL 250 – 5 AAC 02.115. Subsistence Dungeness crab fishery. and 5 AAC 77.662. Personal use Dungeness crab fishery.

PROPOSED BY: Derek Thynes.

WHAT WOULD THE PROPOSAL DO? It would reduce the minimum size limit for male Dungeness crab from 6 and one-half inches to 6 and one-quarter inches in the Region I subsistence and personal use fisheries.

WHAT ARE THE CURRENT REGULATIONS? The legal size for Dungeness crab in Alaska, including Southeast Alaska, for all user groups is 6 and one-half inches or greater in shoulder width. Shoulder width measurement of Dungeness crab is the straight-line distance across the carapace immediately anterior to the tenth anterolateral spine, not including the spines.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Participants in the Registration Area A subsistence and personal use Dungeness fisheries would be able to retain smaller male crab than would be legal sized in the commercial fishery. Additionally, participants in the Registration Area D (Yakutat) subsistence Dungeness fishery, the only Dungeness crab fishery open in Yakutat (commercial, sport, and personal use fisheries all closed due to stock health concerns) would also be able to retain a smaller legal sized crab. It may increase the harvest of male Dungeness crab in the personal use and subsistence fisheries. It would decrease the availability of larger male Dungeness crabs for mating.

BACKGROUND: The State of Alaska manages Dungeness crab fisheries through 3-S (size, sex, and season) management. The crab fisheries harvest males only with a size limit that is chosen to allow the male crabs to mate at least once before becoming available to fisheries. The seasonal element of the management attempts to avoid male and female molting and mating times.

From 1924 to 1935, legal harvest of Dungeness crab was restricted to males over 6½ inches in greatest width. From 1936 to 1962, only males over 7 inches in greatest width were legal. Since 1963, the legal size has been 6½ inches in shoulder width, measured across the carapace immediately anterior to the tenth anterolateral spines.

The department tagged Dungeness crab in 7 areas in central Southeast from 2000 to 2003. Tag-recapture data was analyzed to determine molt increment and molt probability. The molt increment of 29.9 mm CW was independent of premolt size for the adult male size range considered. Previous work done in Southeast Alaska identified male crab as being functionally mature (observed in mating embraces) at 120 mm CW (Shirley and Sturdevant 1988) and that the prerecruit size class (140 to 165 mm) are the male crabs that will attain legal size during their next molt (Lehman and Osborn 1970). The growth increment and molt probability research predicted that functionally mature crab would be under legal size for over 1 year (Bishop 2007). Thus, the current size limit protects males to reproduce at least once before being available for harvest.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The legal size is based on male maturity and reproductive productivity of the population, an important part of the 3-S management policy; and it protects males, allowing them to reproduce at least once before harvest.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined under 5 AAC 02.108 that shellfish, including Dungeness crab, in portions of districts 1, 2, 3, 5, 6, 7, 8, 9, 10, 12, 13, 14 and 15 are customarily and traditionally taken for subsistence uses.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has not established an amount of Dungeness crab reasonably necessary for subsistence.
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

PROPOSAL 251 – 5 AAC 32.128. Operation of other gear in Registration Area A.

PROPOSED BY: Tom Traibush.

WHAT WOULD THE PROPOSAL DO? It would change the start date for the commercial Dungeness fishery from June 15 to July 1.

WHAT ARE THE CURRENT REGULATIONS? There are 3 different season descriptions in regulation for the Southeast commercial Dungeness crab fishery; most of the Dungeness fishing areas have summer and fall seasons. The summer season for Districts 3 through 16, not including Section 13–B, begins on June 15 and closes August 15, unless conservation concerns mandate an earlier closure to the summer season. If the analysis allows a fall season in those areas, this occurs from October 1–November 30. The waters of Section 13–B that are in the Sitka Sound Special Use Area have a fall only season open from October 1–November 30. Districts 1, 2, and Section 13–B, except the waters of Sitka Sound Special Use Area, are open from October 1–February 28.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This change would make the summer season 16 days shorter. Effort in the summer season, in terms of permits fished and pots lifted, might decrease by an unknown amount due to fewer days fished in the summer season and permit holders' participation in other July fisheries. In areas with summer and fall seasons, some unknown amount of the harvest might be taken in the fall season instead. The *Southeastern Alaska Area Dungeness Crab Fisheries Management Plan*, that requires the department to estimate season harvest and uses this estimate to determine stock health and subsequently season length, might need to be amended to account for a shorter season length. This would reduce handling of soft-shell Dungeness crab during the early part of the season.

BACKGROUND: There have been many changes in the season dates throughout the history of the Southeast Dungeness commercial fishery. Until the late 1950s, a summer soft-shell closure for the Southeast Dungeness crab fishery was in effect from May 1 through September 1. That closure was subsequently revoked and from 1960 to 1969, there was no closed season for the Southeast Alaska commercial Dungeness crab fishery. Since then, seasonal closures and small changes in regional season dates have been implemented.

Beginning in 1985, the commercial fishery was open June 15–August 15 and October 1–February 28; field studies showed that female molting and mating occurred in late August through September. In 1986, Districts 1 and 2 season was changed to October 1–February 28, with the season in the remainder of the region remaining: June 15–August 15 and October 1–February 28. In 1989, in response to increasingly high effort levels and high harvest rates, the season in the northern and central portions of the region was further shortened by 3 months, October 1–November 30. Districts 1 and 2 and Section 13–B remained open from October 1–February 28. In 2000, the board adopted a separate 2–month season of October 1–November 30 for waters of Section 13–B in the Sitka Sound Special Use area to provide additional harvest opportunity for the Sitka subsistence fishery.

In 2009, the board changed the season in Districts 1 and 2 to align with the rest of the region, with summer and fall seasons. That regulation change had a sunset clause that stipulated that Districts 1 and 2 would revert back to a fall/winter season beginning February 29, 2012, unless other action was taken. In 2010, the board considered an agenda change request from the Organized Village of Kasaan and revised the season description for District 2, changing it back to a fall/winter only

season. No action was taken on the sunset clause that remained in place for District 1 so the season in that area reverted back to the fall/winter only season in 2012.

The current summer season of June 15–August 15 in much of Southeast Alaska overlaps a small portion of the primary male molt period from March to July. Handling of crab in the soft-shell condition can cause death, leg loss, and decreases in growth.

The current late summer closed period (August 16–September 30) is designed to protect females during molting and mating, and the winter and spring closed period (March 1–June 14) to protect males during molting. However, the closed seasons only partially protect vulnerable crab life history stages. Male Dungeness crab molt from February to July, and females from May to September, while peak mating timing is in late summer and early fall. This results in significant handling of soft-shell males at the beginning of the summer season in some areas and seasons. While the current seasons provide for a closure (August 15–October 1) that encompasses the majority of the late summer female molt and mating period, the current summer season begins on June 15 in most of the region, before the male molt is typically completed (Table 251-1). Consequently, there is sometimes a high prevalence of soft-shelled crab during the first few weeks of the summer fishery.

Determining prevalence of soft-shell crab caught in the fishery is difficult. Permit holders are encouraged to work with their buyers on landing marketable crab, and the majority of soft-shell crab are released on the fishing grounds and not landed or recorded. Department staff sample Dungeness crab dockside in Southeast Alaska and get anecdotal information on the amount of legal-sized soft-shell crab released on the grounds through their dockside interview. For landed crab, there is a delivery condition code for landed soft-shell crab (75) that allows for this accounting. Though processor grading from season to season varies based on market conditions, the percentage of crab harvest graded as soft-shell is generally low, less than 1%, and is slightly higher in the summer season (Table 251-2).

The percentage of legal males that are soft-shelled can be very high in some periods and areas. Surveys conducted in 2001 and 2002 in Duncan Canal during early June found that 59% of the legal males were in soft or light shell condition. It takes approximately 2 months after molting for crabs to reach a marketable shell condition (hard new shell). Because handling mortality of soft-shelled crabs can be as high as 50%, yield is reduced by handling-induced deadloss. Leg loss can also occur when handling soft-shell crab which can reduce mating likelihood and successful molting.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Although the Dungeness crab fishery in Southeast largely avoids life history events for male (molting) and female (molting and mating) crabs, the current commercial summer season, June 15–August 15, overlaps a small portion of the male molt period from February to July. The current fishery timing has allowed fishers to participate in multiple fisheries during the summer months.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 251-1.-Commercial fishing seasons for Southeast Alaska Dungeness crab and major molting/mating periods.

District/Section	January– February	March– May	June	July	August	September	October	November	December
1									
2									
13-B non-									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									
16									
SSSUA									

Male molt period
 Female molt/mating period

Closed season

Open season

Table 251-2.–Southeast Alaska (Registration Area A) commercial Dungeness crab fishery percentage (%) of harvest by with a soft-shell delivery code by month, 2019/20 to 2023/24 seasons.

Season	June	July	August	October	November
2019/20	0.2	0.3	0.8	0.2	0.3
2020/21	0.3	0.2	<0.1	0.1	0.1
2021/22	0.6	0.3	0.2	0.1	0.2
2022/23	0.3	0.4	–	0.2	0.4
2023/24	0.6	0.4	0.7	0.2	0.1

Note: En dash means that the summer season closed early by emergency order; no August fishing.

PROPOSAL 252 – 5 AAC 32.128. Operation of other gear in Registration Area A.

PROPOSED BY: Jared Bright.

WHAT WOULD THE PROPOSAL DO? It would allow a vessel participating in a Registration Area A Dungeness crab fishery to operate groundfish coil spring pots to catch bait.

WHAT ARE THE CURRENT REGULATIONS? Current regulations do not allow a Dungeness crab permit holder or vessel to operate other commercial pots during the Dungeness crab fishery without first removing the Dungeness crab pots and unregistering from the Dungeness crab fishery. One exception exists to this prohibition that allows a person or vessel to operate commercial king crab or Tanner crab pots during an open Dungeness crab season if the king crab or Tanner crab season is open at the same time.

Dungeness crab permit holders are not required to purchase a miscellaneous finfish permit card to harvest groundfish for bait used in the Dungeness crab fishery unless a person intends to sell the groundfish. Fishers are required to account for all groundfish bait on their crab fish tickets at the time of landing the crab for which the bait was taken. Because operation of other commercial pots are not allowed during a Dungeness fishery, longline gear has been used to harvest groundfish for bait.

Groundfish pot gear regulations stipulate a maximum individual tunnel eye opening of 36 inches and a sidewall containing an escapement opening equal to or exceeding 18 inches, though collapsible groundfish pots “slinky” pots must contain 2 escapement openings. All sablefish pots, including slinky pots, must have at least 2 circular escape rings with a minimum inside diameter of 3 and 3-4ths of an inch. Sablefish permit holders operating longlined pot gear must have a buoy on each end of the longline that must be marked with the ADF&G number of the vessel operating the gear and have the letters “LP” to designate the gear as longlined groundfish pot gear. Groundfish pots used for any other species or fishery (e.g., Pacific cod or bait fishery) may not be longlined according to current regulations and these pots are not required to have escape rings.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It would allow commercial Dungeness crab fishery participants to operate commercial Dungeness crab pots and groundfish slinky pots concurrently. This could add more pot gear to the grounds, complicate law enforcement of pot limits, and potentially create conflicts with concurrent fisheries.

BACKGROUND: Registration Area A Dungeness fishery is a limited entry fishery, and each permit has an associated pot limit based on the 300-pot maximum fished per vessel (tiered system: 75/150/225/300 pot limit). Dungeness crab pots must have buoy tags that are purchased from the department and the required buoys must be marked with the ADF&G number of the vessel operating the gear. In addition to other requirements, Dungeness crab pots have a maximum tunnel eye opening of 30 inches and must have 2 circular escape rings of 4^{3/8} inches minimum inside diameter.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because it has no defined pot limits, marking requirements, or depth restrictions. In addition, it would complicate enforcement of pot limits. Currently, bait fishing for groundfish with longline gear is allowed by Dungeness crab fishery participants during this fishery. Longline gear is generally associated with higher levels of bycatch than fishing with pots, and the department does support the use of gear with low levels of bycatch. Tunnel size for slinky pots is slightly larger than allowed for Dungeness

crab pots, suggesting Dungeness crabs could gain entry into this gear, and escape ring requirements, at least those in place for sablefish fisheries, are smaller than the maximum $4^{3/8}$ inches minimum inside diameter ring size in regulation for Dungeness crab.

Additional concurrent fisheries will further complicate enforcement, specifically pot identification and limits. The department is concerned with bycatch of sablefish, which slinky pots have been shown to effectively catch. In this proposal, it is unclear which species may not be retained, such as sablefish, and if they would be returned to the sea unharmed.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 253, 254, 256, and 257 – 5 AAC 32.128. Operation of other gear in Registration Area A.

PROPOSED BY: Robert Mosher, Chris McMurren, Southeast Alaska Fisherman Alliance, and Tom Traibush.

WHAT WOULD THE PROPOSAL DO? It would allow a person or vessel to participate in the Registration Area A commercial Dungeness crab fishery if they operated commercial shrimp pots during the 14 days immediately before the opening of the commercial Dungeness crab fishery.

WHAT ARE THE CURRENT REGULATIONS? Current regulations do not allow a Dungeness crab permit holder to participate in a commercial Dungeness crab fishery if that permit holder operated commercial, subsistence, sport, or personal use pots of any type during the 14 days immediately before the opening, or used a vessel in a commercial Dungeness crab fishery if that vessel was used by the permit holder, or by another person, to operate commercial, subsistence, sport, or personal use pots of any type during the 14 days immediately before the opening. One exception exists to this prohibition on operating other types of pot gear in the 14 days immediately before the opening, but it only allows a person or vessel that operated commercial king crab pots in waters deeper than 100 fathoms during the 14 days immediately before the opening of the commercial Dungeness crab fishery in Registration Area A to participate in the commercial Dungeness crab fishery.

Lawful gear descriptions of pot shrimp gear and Dungeness crab gear in regulation differ in many ways. Tunnel size on pot shrimp gear is limited to tunnel eye openings that individually cannot exceed 15 inches. Tunnel size on Dungeness crab gear is twice as large with a maximum tunnel eye opening of 30 inches that allows legal sized Dungeness crab to enter the pot. The 2 types of gear also differ in terms of pot size, pot shape and dimension, mesh size, and escape ring requirements. Dungeness crab pots are required to be individually buoyed while participants in the pot shrimp fishery have the option to longline their pots. Longlines of more than 5 shrimp pots must have buoys on both ends.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? There would be an exception to the pot operation prohibition by allowing the operation of commercial shrimp pots during the 14 days immediately before the opening of the commercial Dungeness crab fishery, similar to the exception that already exists for operating commercial king crab pots in waters deeper than 100 fathoms during the 14 days immediately before the opening of the commercial Dungeness crab fishery. This could increase pot gear on the fishing grounds and could also quicken the pace of the pot shrimp fishery without any break between pot shrimp and Dungeness crab seasons.

BACKGROUND: Statewide regulations addressing the operation of other gear in the commercial Dungeness crab fishery in the 14 days immediately before the opening were passed in 1998, but this same prohibition existed in statewide regulation under gear requirements as early as 1994. This 14-day stand down had 3 major objectives: to prevent stockpiling of crab prior to the season start, to prevent prospecting immediately prior to the season start, and to facilitate enforcement of an orderly season start.

The exception is the regulation that was adopted in 2003 which allows operation of commercial king crab pots in waters deeper than 100 fathoms during the 14 days immediately before the opening of the commercial Dungeness crab fishery in Southeast Alaska. This regulation allows

permit holders to operate commercial golden king crab gear within 14 days of the opening date of the commercial Dungeness crab fishery and still participate in the Dungeness crab fishery. Golden king crab and Dungeness crab have different habitats, including depths, and the 6-1/4 inch escape rings required in golden king crab pots allow most Dungeness crabs to escape, preventing stockpiling and prospecting.

In 2022, the board adopted a proposal that moved the start date of the pot shrimp fishery from October 1 to May 15. The pot shrimp fishery was scheduled to open October 1, 2022, but with the new regulation, this opening was moved to May 15, 2023. The summer Dungeness season typically has much higher effort than the fall season, so the change in the pot shrimp start date made it difficult or impossible for pot shrimp permit holders to participate in the pot shrimp fishery and the summer Dungeness crab season with the 14-day stand down immediately before the opening. Currently, there are 40 permit holders who hold permits for both the pot shrimp and Dungeness crab pot fisheries.

Because spot shrimp (the primary target species of the pot shrimp fishery) and Dungeness crab habitat does not generally overlap, and the gear specifications are very different, use of pot shrimp gear in the 14 days preceding the Dungeness crab fishery would be an ineffective way of prospecting for and stockpiling Dungeness crab.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal and has no management or biological concerns with adoption of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 255 – 5 AAC 32.128. Operation of other gear in Registration Area A.

PROPOSED BY: Dawson Miller.

WHAT WOULD THE PROPOSAL DO? It would allow a person or vessel to participate in the Registration Area A commercial Dungeness crab fishery if they operated commercial, personal use, or subsistence shrimp pots during the 14 days immediately before the opening of the commercial Dungeness crab fishery.

WHAT ARE THE CURRENT REGULATIONS? Current regulations do not allow a Dungeness crab permit holder to participate in a commercial Dungeness crab fishery if that permit holder operated commercial, subsistence, sport, or personal use pots of any type during the 14 days immediately before the opening, or used a vessel in a commercial Dungeness crab fishery if that vessel was used by the permit holder, or by another person, to operate commercial, subsistence, sport, or personal use pots of any type during the 14 days immediately before the opening. One exception exists to this prohibition on operating other types of pot gear in the 14 days immediately before the opening, but it only allows a person or vessel that operated commercial king crab pots in waters deeper than 100 fathoms during the 14 days immediately before the opening of the commercial Dungeness crab fishery in Registration Area A to participate in the commercial Dungeness crab fishery.

Lawful gear descriptions of pot shrimp gear and Dungeness crab gear in regulation differ in many ways. Tunnel size on pot shrimp gear is limited to tunnel eye openings that individually cannot exceed 15 inches. Tunnel size on commercial Dungeness crab gear is twice as large with a maximum tunnel eye opening of 30 inches that allows legal sized Dungeness to enter the pot. Commercial, personal use, and subsistence pot shrimp gear also differs from commercial Dungeness crab pot gear in terms of pot size, pot shape and dimension, mesh size, and escape ring requirements. Dungeness pots are required to be individually buoyed while participants in the pot shrimp fishery have the option to longline their pots. Longlines of more than 5 shrimp pots must have buoys on both ends.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? There would be an exception to the pot operation prohibition by allowing the operation of personal use, subsistence, and commercial shrimp pots during the 14 days immediately before the opening of the commercial Dungeness crab fishery, similar to the exception that already exists for operating commercial king crab pots in waters deeper than 100 fathoms during the 14 days immediately before the opening of the commercial Dungeness crab fishery. This could increase pot gear on the fishing grounds and make it more challenging for Alaska Wildlife Troopers (AWT) to monitor pot limits associated with the pot shrimp and Dungeness crab fishery. Also, it may be more difficult for AWT to determine if there was any prospecting before the start of the Dungeness crab season, that is illegal. It could also quicken the pace of the pot shrimp fishery without any break between shrimp and Dungeness crab seasons.

BACKGROUND: See Proposals 253, 254, 256, and 257 for background information.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal and has no management or biological concerns with adoption of these proposals.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 258 – 5 AAC 32.150. Closed waters in Registration Area A.

PROPOSED BY: Derek Thynes.

WHAT WOULD THE PROPOSAL DO? It would open some or all areas currently closed to commercial Dungeness crab fishing in Registration Area A.

WHAT ARE THE CURRENT REGULATIONS? There are 20 areas in Southeast Alaska, mostly near communities, that are closed to commercial fishing for Dungeness crab (Figures 258-1 and 258-2).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This may increase commercial harvest by some unknown amount or shift effort to these previously closed areas. It may reduce opportunity for noncommercial crab fishers.

BACKGROUND: Multiple areas in Southeast are closed to commercial Dungeness crab fishing, most near population centers (Figures 258-1 and 258-2). Regulations closing portions of Section 11-A near Juneau first appear in regulation in 1978. In 1984, closed area descriptions for Tenakee Inlet, Port Althorp, and Merrifield Bay/Port Protection were added. Since 1984, more closed areas have been added and repealed from regulation. Most recently in 2022, closed waters near Shinaku Inlet, Whale Pass, and Natzuhini Bay were added to regulation.

In addition to previous allocative decisions that have closed large portions of Southeast to commercial Dungeness crab harvest, other factors have also served to concentrate effort in the Dungeness crab fishery. Log storage sites used in the past that no longer support fishable populations of Dungeness crabs, nearshore development projects, the National Park Service's decision to exclude commercial Dungeness crab permit holders from Glacier Bay, and most importantly Dungeness crab predation by sea otters in western and central portions of Southeast Alaska, have all helped concentrate the effort of commercial Dungeness crab permit holders by reducing the total amount of Dungeness crab habitat available for commercial harvest. In the past 3 seasons, 19% to 49% of the total season harvest has been taken from District 11 where sea otter predation is not yet an issue (Table 258-1). Districts 10 and 15, where sea otters have not populated, have also seen increased harvests. Districts 6 and 9, that had historically been areas with large Dungeness crab harvests but have recently seen higher sea otter abundance, have seen reduced harvests in the last 3 seasons.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal but supports allowing commercial fishing opportunity for Dungeness crab in areas where there is no conservation concern. If this proposal is adopted, the board should consider whether reasonable opportunity for subsistence uses of Dungeness crab will still be provided.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined under 5 AAC 02.108 that shellfish, including Dungeness crab, in portions of districts

1, 2, 3, 5, 6, 7, 8, 9, 10, 12, 13, 14 and 15 are customarily and traditionally taken for subsistence uses.

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence uses? The board has not established an amount of Dungeness crab reasonably necessary for subsistence.

5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 258-1.—Southeast Alaska (Registration Area A) commercial Dungeness crab fishery harvest by district (1–16), 2016/17–2023/24.

District	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
1	130,508	67,673	85,718	95,221	90,607	79,389	57,478	80,169
2	74,477	76,087	70,125	98,241	82,376	80,651	46,178	60,867
3	*	*	*	*	*	*	*	0
4	0	0	0	0	0	0	0	0
5	*	0	*	*	*	0	*	*
6	272,295	204,242	535,309	632,713	541,916	153,976	71,444	110,466
7	147,310	129,598	183,482	245,332	150,059	95,905	84,959	109,500
8	583,958	437,281	730,854	1,117,565	1,303,149	741,140	324,509	349,186
9	117,392	16,412	84,114	97,122	258,711	98,921	20,797	*
10	165,182	49,574	343,576	516,843	1,020,664	494,488	220,283	395,750
11	217,783	205,892	909,634	1,097,562	1,011,261	716,658	692,251	1,576,889
12	200,946	121,841	295,991	467,690	650,256	399,753	127,918	101,427
13	77,578	224,554	328,055	260,125	351,272	173,764	182,819	79,752
14	103,776	220,241	340,300	219,757	616,763	228,284	73,439	98,957
15	261,035	147,570	178,626	480,210	627,054	459,477	110,934	259,284
16	0	*	0	0	0	*	0	0
Total	2,358,645	1,914,417	4,089,015	5,332,534	6,706,685	3,728,824	2,018,862	3,249,823

Note: * denotes confidential information.

**Waters of Registration Area A Closed to Commercial Dungeness Crab Fishing
Refer to 5 AAC 32.150 for Legal Descriptions**

Note: Please refer to the Federal regulations regarding commercial fishing boundaries within the Glacier Bay National Park. For more information regarding current and legal Federal boundaries of Glacier Bay National Park, please call (907) 697-2230.

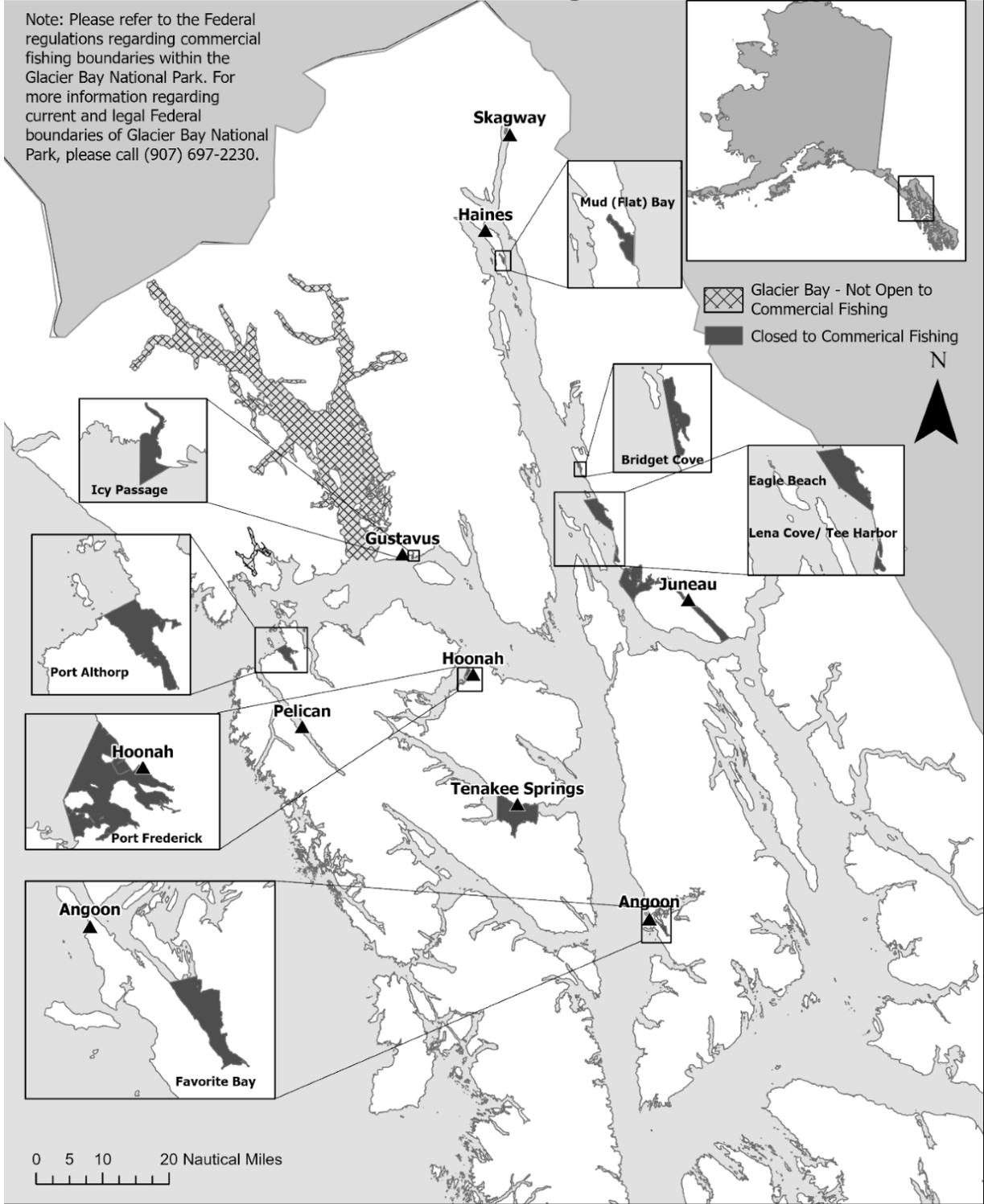


Figure 258-1.—Closed areas for the commercial Dungeness crab fishery in the northern portion of Registration Area A.

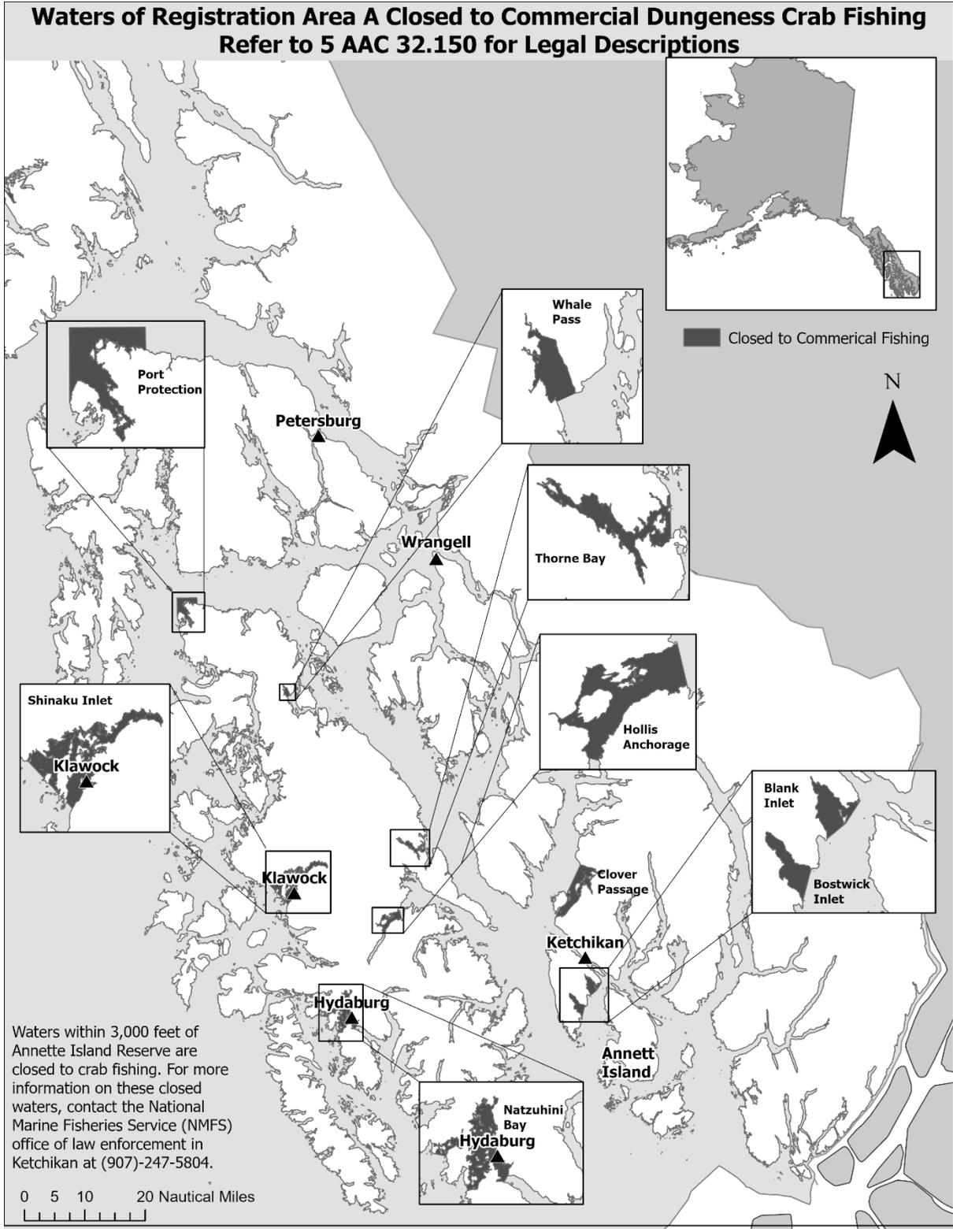


Figure 258-2.—Closed areas for the commercial Dungeness crab fishery in the southern portion of Registration Area A.

PROPOSAL 259 – 5 AAC 32.150. Closed waters in Registration Area A.

PROPOSED BY: Todd Bailey.

WHAT WOULD THE PROPOSAL DO? It would open all waters closed to commercial Dungeness crab fishing in Registration Area A from October 1 to November 30.

WHAT ARE THE CURRENT REGULATIONS? There are 20 areas in Southeast Alaska, mostly near communities, that are closed to commercial fishing for Dungeness crab (Figures 258-1 and 258-2).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Areas that are currently closed to Dungeness crab commercial fishing will be open for 2 months out of the year, from October 1–November 30; this may increase commercial harvest by some unknown amount or shift effort to these previously closed areas. This may reduce opportunity for noncommercial crab fishermen. October and November often have unfavorable weather conditions, effort would most likely be less than if these areas were open in summer months.

BACKGROUND: Refer to Proposal 258 for background information.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal but supports allowing commercial fishing opportunity for Dungeness crab in areas where there is no conservation concern. If this proposal were adopted, the board should consider whether reasonable opportunity for Dungeness would continue to be provided.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined under 5 AAC 02.108 that shellfish, including Dungeness crab, in portions of districts 1, 2, 3, 5, 6, 7, 8, 9, 10, 12, 13, 14 and 15 are customarily and traditionally taken for subsistence uses.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has not established an amount of Dungeness crab reasonably necessary for subsistence.
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

PROPOSAL 260 – 5 AAC 31.136. Closed waters in Registration Area A.; 5 AAC 32.150. Closed waters in Registration Area A; 5 AAC 34.150. Closed waters in Registration Area A; and 5 AAC 35.XXX. Closed waters in Registration Area A.

PROPOSED BY: Mark R. Hoyt

WHAT WOULD THE PROPOSAL DO? This would close George Inlet, Carroll Inlet, and Thorne Arm to the commercial harvest of crab and shrimp east of a line from Mountain Point Light to the northernmost tip of Bold Island to the southernmost tip of Bold Island to Cone Point. It is unclear if the proposer intended the closure for all species of crab or just Dungeness crab.

WHAT ARE THE CURRENT REGULATIONS? Regulations allow for a commercial pot shrimp fishery, commercial Dungeness crab, as well as personal use and sport fisheries for both species in these waters. The commercial pot shrimp fishery opens by regulation from May 15–July 31, unless closed by emergency order. Additionally, the department may open an area from October 1–February 28 in a district or section where the guideline harvest level was not reached during the summer season. The Dungeness crab season in District 1 is only a fall/winter season opening October 1 and closing February 28. Various areas in Southeast Alaska, described in 5 AAC 32.150, are closed to commercial fishing for Dungeness crabs and areas described in 5 AAC 31.136, for commercial shrimp. The waters mentioned in this proposal and those immediately adjacent, are open to commercial fishing for Dungeness crab and spot shrimp, but the nearby waters of Blank Inlet and Bostwick Inlet are closed to commercial Dungeness crab fishing, while the waters of Clover Passage are closed to both commercial Dungeness crab and spot shrimp fishing (Figure 260-1). Portions of Section 11-A near Juneau are closed to commercial harvest of red and golden king crab. There are no areas closed to commercial Tanner crab harvest in Southeast Alaska.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would increase the number of closed areas in District 1 to commercial Dungeness crab and pot shrimp fishing, while still providing for personal use and sport fisheries (Figure 260-1). This may result in foregone yield in the commercial fisheries and increased harvest in the sport and personal use fisheries.

BACKGROUND: The commercial pot shrimp fishery opens by regulation on May 15 of each year; a change recently adopted by the board at the 2022 meeting. Prior to the 2023/24 pot shrimp season, and since the inception of the pot shrimp fishery in Southeast Alaska, the commercial pot shrimp fishery began on October 1. Districts or sections of districts are managed to a guideline harvest level (GHL) and once a GHL is reached, areas are closed by emergency order. Commercial pot shrimp fishing has occurred in District 1 since 1981. Significant commercial harvest did not occur until 1983 when 9,982 pounds were harvested. The 1995/96 season was the last season to qualify for limited entry and GHLs were established. Limited entry was established in the pot shrimp fishery for the 1998/99 season. The current GHL for District 1 is 40,000 pounds. The 10-year average season length for District 1 is just over 14 days, with the most recent 2024/25 season being open for 16 days to the commercial fishery.

Current regulations specify 20 areas closed to commercial harvest of Dungeness crab and 3 areas for commercial pot shrimp in Southeast Alaska. The proposed area includes all of statistical areas 101-40, 101-43, 101-44, 101-46, and 101-48, and also portions of statistical areas 101-41 and 101-45. There has been no commercial red or golden king crab harvest in these statistical areas in the

last 30 years, and no commercial Tanner crab harvest in the last 20 years. Average annual commercial Dungeness crab harvest in statistical areas 101-40, 101-41, 101-43, 101-44, 101-45, 101-46, and 101-48 over the past 10 full seasons is 5,458 lb (Table 260-1). There is no information available on the magnitude of personal use Dungeness crab catch in this area. There is a customary and traditional use finding for Dungeness crab in District 1 for nearly all of the waters in Section 1-F north of the latitude of the northernmost tip of Mary Island that includes statistical areas 101-40, 101-41, 101-43, 101-44, 101-45, 101-46, and 101-48, however, this area also is part of the Ketchikan nonsubsistence use area described in 5 AAC 99.015(a)(1) so the positive C&T finding conflicts with the nonsubsistence use area designation.

The 10-year average harvest for commercial pot shrimp in District 1 is 58,000 pounds by 19 permits. The 10-year average harvest from the proposed closed area is 7,800 pounds of spot shrimp by 5 permits, or 14% of the total districts GHL.

Based on the reported personal use/subsistence shrimp permits, the average annual harvest of spot shrimp in this area from 2019–2023 was 833 lb from 49 permits, with a high of 1,309 lb by 48 permits in 2022, and a low of 383 lb by 41 permits in 2019. The personal use shrimp permit is difficult to quantify the exact amount of harvest with some permits being returned with the harvest location simply labeled as District 1. The reported personal use harvest should be considered a minimum harvest. The sport harvest from the area is unknown. There is no C&T finding for shrimp in District 1.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal but **OPPOSES** closing areas to commercial fishing where there is no conservation concern.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

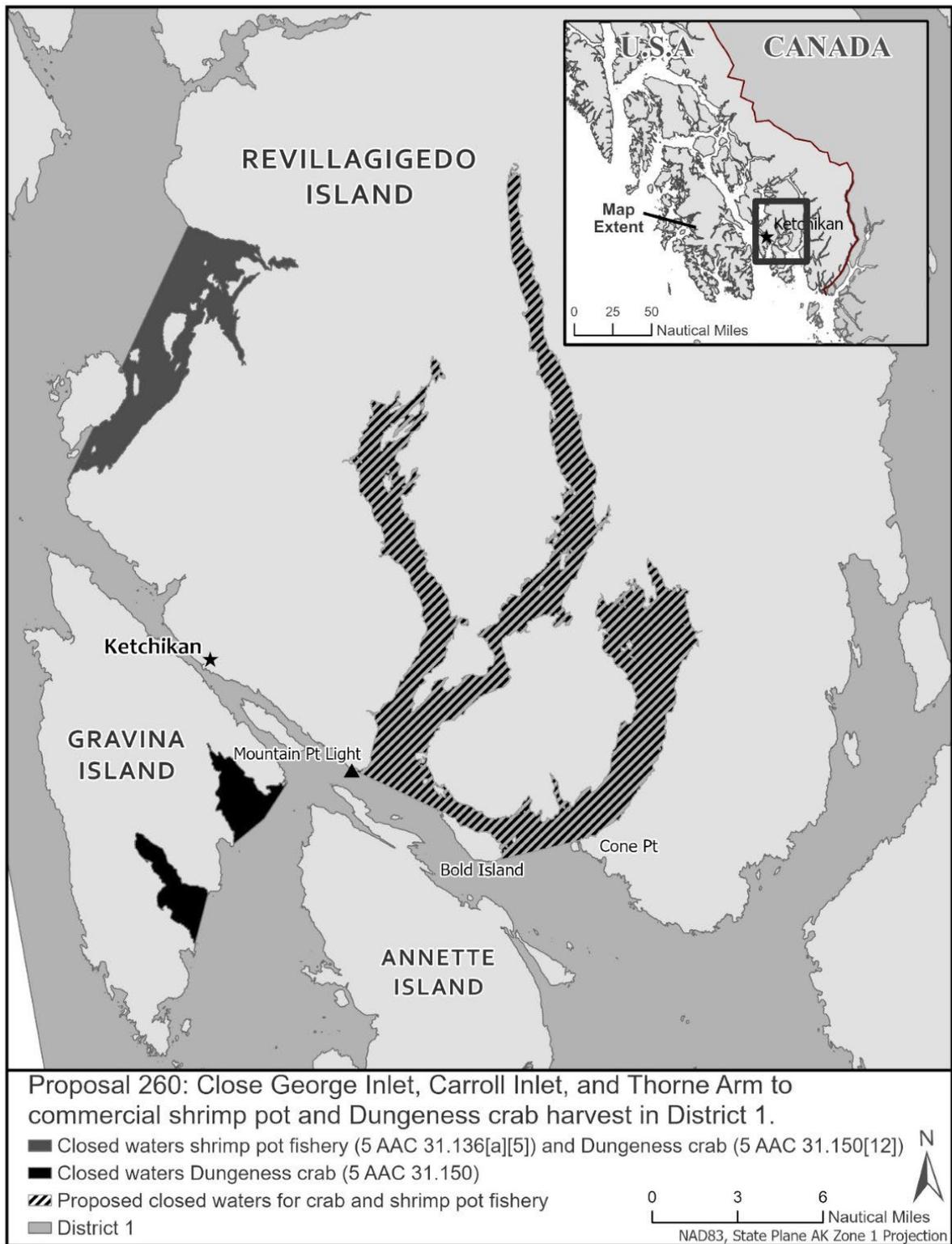


Figure 260-1.— Map of the proposed area closure to the commercial harvest of crab and shrimp.

Table 260-1.–Commercial harvest and effort of Dungeness crab in statistical areas 101-40, 101-41, 101-43, 101-44, 101-45, 101-46, and 101-48, 2014/15–2023/24 seasons.

Season	Harvest	Permits	Landings
2014/15	*	*	*
2015/16	7,478	4	7
2016/17	2,944	4	5
2017/18	*	*	*
2018/19	*	*	*
2019/20	*	*	*
2020/21	0	0	0
2021/22	13,678	4	18
2022/23	*	*	*
2023/24	7,056	4	12
Average	5,458	2	6

Note: * denotes confidential data; fewer than 3 permits fished.

PROPOSAL 261 – 5 AAC 31.136. Closed waters in Registration Area A; 5 AAC 32.150. Closed waters in Registration Area A; 5 AAC 34.150. Closed waters in Registration Area A; 5 AAC 35.XXX. Closed waters in Registration Area A; and 5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of Southeast Alaska Area.

PROPOSED BY: Kurt Mattle.

WHAT WOULD THE PROPOSAL DO? Close Traitors Cove to commercial and sport shellfish harvest.

WHAT ARE THE CURRENT REGULATIONS? Regulations allow for a commercial pot shrimp fishery, commercial Dungeness and Tanner crab fisheries, personal use shellfish, and sport shellfish fisheries in these waters. Traitors Cove is within the Ketchikan Nonsubsistence Use Area.

Various areas in Southeast Alaska, described in 5 AAC 32.150, are closed to commercial fishing for Dungeness crab and areas described in 5 AAC 31.136 for commercial shrimp. The waters mentioned in this proposal and those immediately adjacent to them are open to commercial fishing for Dungeness crab and spot shrimp. Other areas near Ketchikan, the waters of Blank and Bostwick Inlets are closed to commercial Dungeness crab fishing, and the waters of Clover Passage are closed to both commercial Dungeness crab and spot shrimp (Figure 261-1). Portions of Section 11-A near Juneau are closed to commercial harvest of red and golden king crab. There are no areas closed to commercial Tanner crab harvest in Southeast Alaska.

The sport fishery for Dungeness and Tanner crab is open with a bag and possession limit of 3 male Tanner and Dungeness crab, with a minimum size limit of a 6 ½ inch carapace width for Dungeness crab and 5 ½ in minimum size inch carapace width for Tanner crab. While taking Dungeness crab, 4 crab pots or 10 rings per person may be used with a maximum of 10 crab pots or 20 rings per vessel. The sport fishery for shrimp is open with a bag and possession limit of 3 lb or quarts of shrimp and a permit is required. While taking shrimp, 4 pots per person may be used and 10 pots per vessel. King crab, geoduck clams, and abalone are closed to sportfishing. Sport anglers may harvest 10 razor clams, 5 rock scallops and 10 weathervane scallops per day. There is no bag, possession or size limit on all other shellfish species.

A captain and crew of a charter vessel may not deploy, set, or retrieve their own shellfish gear while the vessel is chartered. Guided anglers may deploy and set gear from a charter vessel as long as they personally set and retrieve the gear and the buoy is marked with their name, home address and Alaska Department of Motor Vehicles registration number of the vessel used.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would increase the number of closed areas in District 1 to commercial Dungeness crab and pot shrimp fishing, while still providing for personal use fisheries (Figure 261-1). This may result in foregone yield in the commercial fisheries and increased harvest in the personal use fisheries. This action would close sport fishing for all shellfish species in Traitors Cove and create greater disparity between sport and personal use regulations. It would further complicate regulations by adding an area-specific regulation as an exception to regionwide regulations.

BACKGROUND: Current regulations specify 20 areas closed to commercial harvest of Dungeness crab in Southeast Alaska. The proposed closed area in Traitors Cove lies within statistical area 101-90. There has been no commercial red king crab or golden king crab harvest in

this statistical area in the last 30 years, and a negligible amount of commercial Tanner crab harvest from 2 landings in the last 30 years. Over the past 10 full seasons, there have been 18 commercial Dungeness crab landings by 6 permit holders totaling 17,797 lb. There is no information available on the magnitude of personal use Dungeness crab catch in this area. There is not a customary and traditional use finding for Dungeness crab or shrimp in Traitors Cove.

The 10-year average harvest for commercial pot shrimp in District 1 is 58,000 lb by an average of 19 permit holders. The 10-year average harvest from the proposed closed area is approximately 5,300 lb of spot shrimp by an average of 2 permit holders, approximately 9% of the total districts guideline harvest level (GHL).

The primary target of sport shellfish fisheries in Traitors Cove is Dungeness crab and shrimp, while other shellfish species are occasionally harvested. Sport harvest estimates of Dungeness crab specifically for Traitors Cove cannot be determined due to insufficient response rates in the statewide harvest survey. However, Dungeness crab harvest in the greater Ketchikan area, including Traitors Cove, averaged 2,756 crab during 2014–2023. Similarly, the sport harvest of shrimp is not available specifically for Traitors Cove but the annual harvest of shrimp in the Ketchikan area is 2,009 lb (2019-2023).

Based on the reported personal use shrimp permits, the average annual personal use harvest of spot shrimp in this location from 2019-2023 was 800 lb with an average of 12 permits. The harvest ranged from a high of 1,500 lb by 16 permits in 2022 to lows of 500 lb by 8 permits for both 2019 and 2020. However, the personal use shrimp permit is not specific enough to accurately quantify harvest for small areas such as a single bay. Many permits list a much broader harvest location, or simply as District 1. The reported personal use harvest for Traitors Cove should be considered a minimum harvest. The reported 10-year average personal use harvest for District 1 was 20,000 lb by an average of 183 permits.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal but **OPPOSES** closing areas to commercial or sport fishing where there is no conservation concern. Adoption may provide personal use users with more opportunity to harvest crab, shrimp and other shellfish; however, the department is concerned that it would further complicate shellfish regulations in Southeast Alaska.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

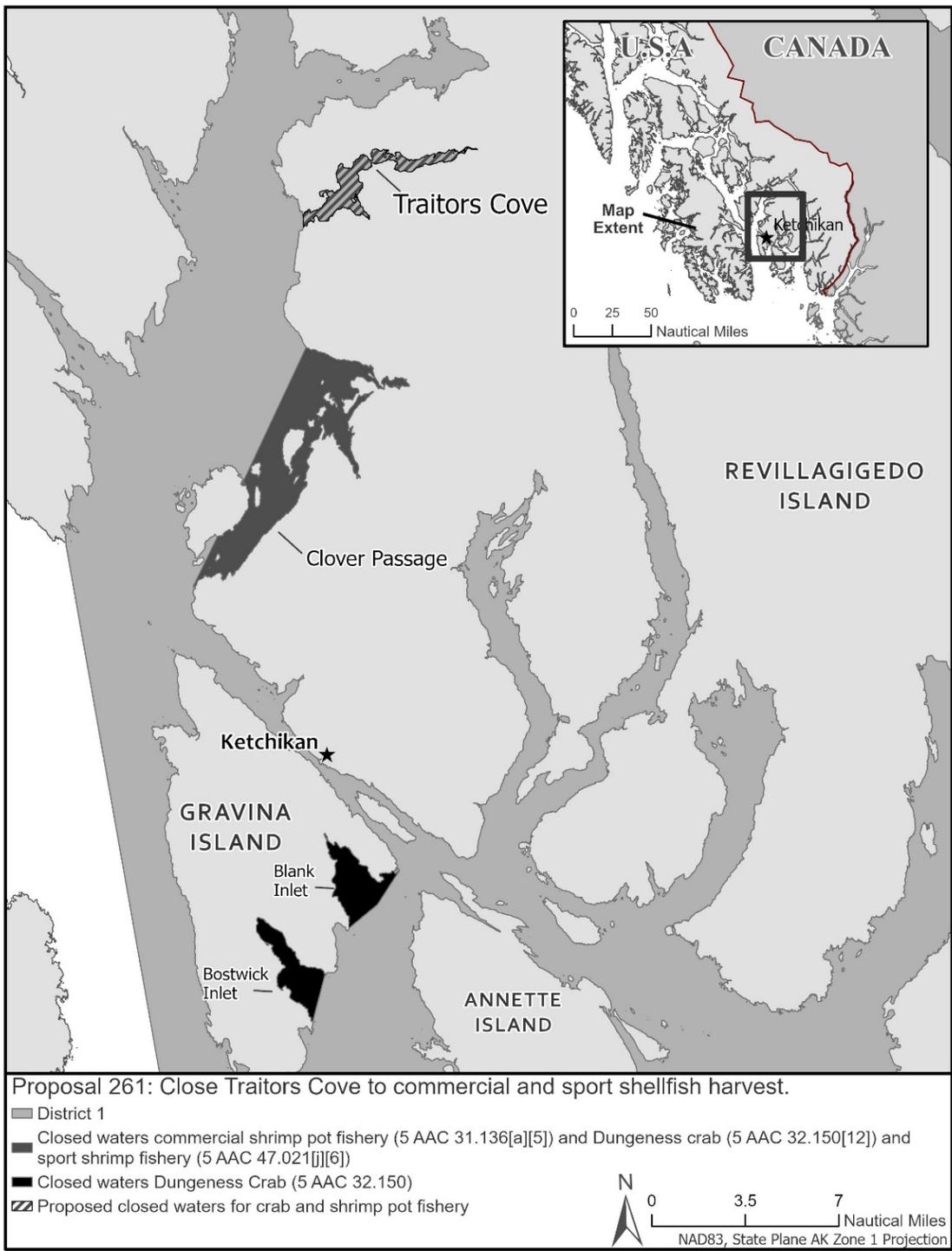


Figure 261-1.—Proposed sport and commercial fishing closure at Traitors Cove.

PROPOSAL 262 – 5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

PROPOSED BY: East Prince of Wales Fish & Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Close the sport Dungeness crab fishery in Thorne Bay.

WHAT ARE THE CURRENT REGULATIONS? The sport fishery for Dungeness crab is open year-round with a bag and possession limit of 3 male Tanner and Dungeness crab in combination, with a minimum size limit of a 6½ inch carapace width for Dungeness crab. While taking Dungeness crab, 4 crab pots or 10 rings per person may be used with a maximum of 10 crab pots or 20 rings per vessel.

A captain and crew of a charter vessel may not deploy, set or retrieve their own shellfish gear while the vessel is chartered. Chartered anglers may deploy and set gear from a charter vessel as long as they personally set and retrieve the gear and the buoy is marked with their name, home address and Alaska Department of Motor Vehicles registration number of the vessel used.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This action would close sport fishing for Dungeness crab in Thorne Bay. Alaska residents would continue to have harvest opportunity for Dungeness crab under personal use regulations. This would add regulatory complexity by contributing to the mosaic of closed waters near communities on Prince of Wales Island for sport fishing for Dungeness crab.

BACKGROUND: Sport fishing regulations for Dungeness crab in Southeast Alaska were established in 1989 with a bag and possession limit of 5 male Dungeness/Tanner crab in combination and a minimum size limit of 6½ inches for Dungeness crab. In 2009, the bag and possession limit was reduced to 3 male Dungeness/Tanner crab in combination. In 2012, the number of ring nets that could be fished in the sport Dungeness crab fishery was limited to 10 per person and 20 per vessel. In 2022, sport fishing for Dungeness crab was closed in Whale Pass, Klawock Inlet, and Coffman Cove.

There are no customary and traditional use findings for Dungeness crab within the proposed closed area. Since at least 1988, the personal use bag and possession limit in Thorne Bay has been 5 male Dungeness crab and a minimum size limit of 6½ inches.

The Statewide Harvest Survey receives insufficient response rates to determine the number of Dungeness crab harvested specifically within Thorne Bay. However, the nonresident harvest of Dungeness crab within the greater East side of Prince of Wales (including Thorne Bay) averages 4,803 crab (2014-2023).

DEPARTMENT COMMENTS: The department **OPPOSES** closing the sport fishery in the absence of a biological concern. The department is **NEUTRAL** on providing preferential harvest opportunity between sport and personal use. If adopted this proposal will likely reduce competition among users of the resource. The department is concerned that it would further complicate shellfish regulations in Southeast Alaska by increasing the number of areas closed for the Dungeness crab sport fishery.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

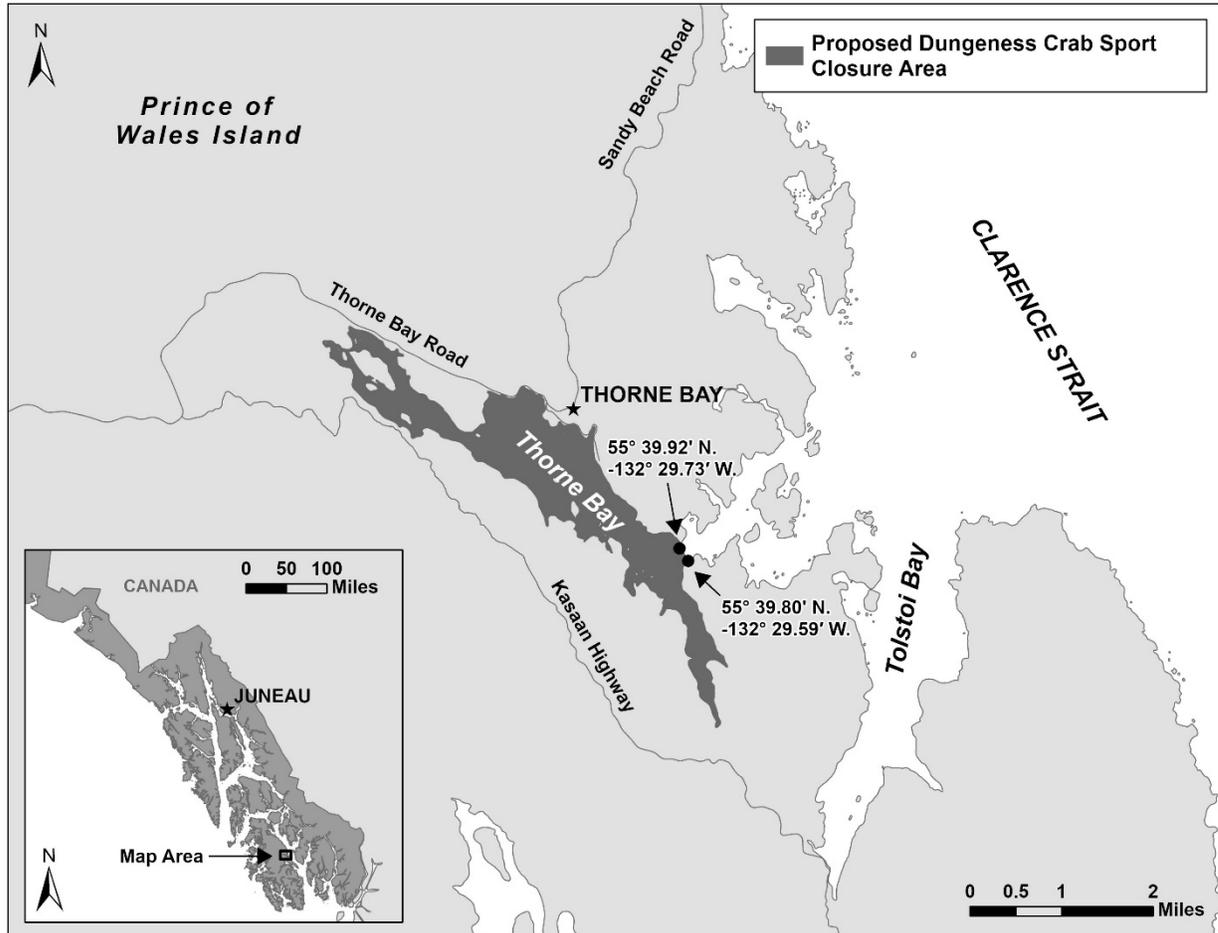


Figure 262-1.—Proposed sport fishing closure for Dungeness crab in Thorne Bay.

COMMITTEE OF THE WHOLE – GROUP 2: COMMERCIAL, SUBSISTENCE, SPORT, PERSONAL USE GROUND FISH (21 PROPOSALS)

GENERAL GROUND FISH (3 PROPOSALS)

PROPOSAL 191 – 5 AAC 28.175. Logbooks for the Eastern Gulf of Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would amend logbook requirements for vessels fishing for groundfish with pot and longline gear.

WHAT ARE THE CURRENT REGULATIONS? A vessel operator fishing for groundfish in the waters of the Eastern Gulf of Alaska (EGOA) Area or in a state-managed directed fishery in the waters of the exclusive economic zone (EEZ) adjacent to the EGOA are required to maintain an accurate logbook of all fishing operations for each type of gear used. A logbook for longline gear must include, by set, the date, location of harvest by latitude and longitude in degrees and decimal minutes, hook spacing, number of hooks, depth of each set, estimated weight of the target species, estimated weight of retained and discarded bycatch, and the tag number of any tagged fish landed. There are currently no logbook requirements for vessels fishing with pot gear. Logbooks are required to be updated within 24 hours after midnight local time on the day of operation; retained for 2 years with original pages by the owner or operator of the vessel; include the tag number of any tagged fish landed with the date and specific location recorded; be kept aboard the vessel during fishing while operating gear, during transits to or from a port of landing, and for 5 days after delivering groundfish; be made available to a local department representative upon request; and attach a copy the logbook to the fish ticket that is documenting the landing. A person is prohibited from making a false entry in their logbook.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? More logbook fields would be required for vessels fishing for groundfish with longline gear, and logbook requirements would be updated to include vessels fishing for groundfish with pot gear, that would provide consistency in regulation for logbooks. Biometricians and fishery managers would have access to important information to include for stock assessment and to make management decisions.

BACKGROUND: Paper logbooks provided to fishery participants contain some fields that are not specified in regulation but are critical for data analyses. Current groundfish logbook reporting requirements do not include all the information that is necessary for management and stock assessments. With recent regulation changes allowing pots in state-managed sablefish fisheries, the logbook reporting regulations need to be updated to include vessels fishing with pot gear. Logbooks are commonly used in Alaska as a management tool, often in the absence of fishery independent surveys that would aid in stock assessment or as a component of a stock assessment to estimate catch per unit of effort (CPUE) data.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. By adopting this proposal, additional information will be available to department staff who depend on timely and accurate logbook data to make management decisions.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 192 – 5 AAC 77.674 Personal use bottomfish fishery.

PROPOSED BY: Territorial Sportsmen Inc/Juneau-Douglas Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would allow pots used in the personal use sablefish fishery to be longlined.

WHAT ARE THE CURRENT REGULATIONS? A Southeast Alaska Subsistence and Personal Use Sablefish Fishing Permit is required for harvest of subsistence or personal use sablefish by Alaska residents. Personal use sablefish gear is restricted to longline, pot, or hand-held line only. Longlining pots is prohibited in the personal use sablefish fishery. 2 pots per permit holder or 8 pots per vessel when 4 or more permit holders are present are allowed. The personal use fishery is limited to 50 sablefish per household permit or 200 sablefish per vessel if 4 or more permit holders are on board the same vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Personal use fishers would be allowed to longline their pots while fishing for sablefish in Southeast Alaska under the personal use sablefish permit. This would allow a single permit holder to longline their 2 pots to the same groundline, or up to 8 pots total on a longline when 4 or more permit holders are on board the same vessel.

This would increase the efficiency of the fleet and could increase effort in the personal use fishery because each pot would not require an individual groundline, anchor, and buoy set-up, increasing the ease to deploy and retrieve multiple slinky pots at 1 time. It would align personal use pot gear regulations with pot gear regulations in the commercial and subsistence sablefish fisheries, both of which allow pots to be longlined.

BACKGROUND: Personal use fishing for bottomfish was authorized in the Southeastern Alaska Area in 1989. Customary and traditional use findings for bottomfish were made by the Board of Fisheries (board) for many areas of Southeast Alaska in 1993. In 2012, the board adopted a regulation that required Alaska residents to obtain a harvest permit prior to participating in subsistence and personal use sablefish fisheries in Southeast Alaska. In 2015, longline gear restrictions, household harvest limits, and vessel limits were adopted for personal use fishing due to concerns of declining sablefish biomass and increasing harvests. The permit was designed to provide managers with sablefish harvest and effort information to estimate total sablefish removals more accurately from the personal use and subsistence fisheries. In 2018, the board adopted a regulation allowing pots as a legal gear type in the Southeast Alaska personal use sablefish fishery where previously longline and hand-held lines were the only gear types allowed. In 2022, the board adopted regulations for pots that require at least 2 circular escape rings, with a minimum inside diameter of 3 and 3-4ths inches, installed on opposing vertical or sloping walls of the pot and individual tunnel eye openings with perimeters of 36 inches or less.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. Longlining 2-8 pots in the personal use fishery does not present concerns for the resource and mirrors existing regulations for subsistence and commercial fisheries. Slinky pots have become more popular in personal use groundfish fisheries. This gear has been shown to have low bycatch, especially of rockfish, which are long lived species that are susceptible to overharvest.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 193 – 5 AAC 28.171. Rockfish possession and landing requirements of Eastern Gulf of Alaska Area.

PROPOSED BY: Joseph Person.

WHAT WOULD THE PROPOSAL DO? This would allow Commercial Fisheries Entry Commission (CFEC) permit holders fishing for groundfish or halibut with mechanical jig and hand troll gear in state waters of the Eastern Gulf of Alaska (EGOA) Area to use a deepwater release mechanism to return rockfish to the ocean.

WHAT ARE THE CURRENT REGULATIONS? In the EGOA, a CFEC permit holder fishing for groundfish or halibut must retain, weigh, and report all rockfish and thornyhead rockfish caught. Federal regulations require that the operator of a federally permitted catcher vessel using hook-and-line, pot, or jig gear in the exclusive economic zone (EEZ) of the Gulf of Alaska retain and land all rockfish including thornyhead rockfish caught while fishing for groundfish or halibut.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would potentially reduce the mortality of rockfish caught by removing full retention requirements for certain species of rockfish in state waters (0–3 nm) and all rockfish in state internal waters during the commercial groundfish and halibut fisheries for participants using mechanical jig and hand troll gear. However, if adopted, this proposal would increase regulatory complexity regarding retention of rockfish among different gear groups, different species, and different waters, that were streamlined at the last board cycle to mirror federal rockfish regulations. This would also complicate enforcement of rockfish retention regulations, would reduce accuracy in accounting for rockfish mortality in the commercial jig and hand troll fisheries, and would increase rockfish discard mortality in state waters as deepwater release mechanisms are not 100% effective.

BACKGROUND: Most rockfish have a closed swim bladder and suffer embolism mortality when brought to the surface from fishing depth. Regulations have been developed to reduce the at-sea discard of rockfish due to their high post-release mortality. Full retention regulations were first adopted at the 2000 board meeting, requiring all rockfish caught in internal waters, and all demersal shelf rockfish (DSR) and black rockfish in state waters, to be weighed and reported on fish tickets. Full retention of DSR and black rockfish has been required in groundfish and halibut fisheries in federal waters since 2005. Effective March 23, 2020, federal regulations require full retention of all rockfish caught while fishing for groundfish or halibut in federal waters. For Southeast Alaska, effective September 25, 2022, state regulations require full retention of all rockfish caught while fishing for groundfish or halibut in state waters.

Deepwater release mechanisms work well in sport fisheries in which the fisher is operating a single line, allowing the fisher to quickly reel the fish up to the surface, gently unhook it, attach it to a release device, and resubmerge the rockfish to depth, ideally in under 2 minutes. Commercial hand troll gear does not have a limit to the number of hooks that can be fished, and commercial mechanical jig gear may have up to 5 mechanical jigging machines, with up to 30 hooks per line. Commercial vessels are often operated by a captain and 1 crew member. If a vessel were to encounter multiple rockfish on each line, it would be inefficient and potentially unsafe for the crew to attempt to resubmerge every rockfish within 2 minutes of being brought to the surface, given the amount of gear to be hauled and redeployed (Table 193–1).

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Because the full retention requirements would be removed for these fisheries and the use of deepwater release devices would be optional, it is likely that rockfish caught at the magnitude found in commercial fisheries would be released at the water's surface, significantly lowering the chance of survival.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 193-1.-Commercial rockfish landed (round lb) in groundfish and halibut mechanical jig and hand troll fisheries in state waters of Southeast Alaska, 2000-2023.

Year	Rockfish landed (round lb)	Number of permits
2000	40,333	17
2001	11,935	8
2002	94,460	16
2003	112,966	22
2004	51,674	12
2005	9,866	9
2006	8,701	7
2007	2,012	9
2008	322	5
2009	2,235	12
2010	931	10
2011	2,062	11
2012	5,166	14
2013	7,132	5
2014	118	5
2015	8,975	9
2016	8,315	14
2017	11,916	11
2018	5,022	13
2019	7,935	11
2020	16,603	7
2021	13,038	5
2022	Confidential	Confidential
2023	Confidential	Confidential

SABLEFISH (5 PROPOSALS)

PROPOSAL 194 – 5 AAC 01.720. Lawful gear and gear specifications; 5 AAC 28.130. Lawful gear for Eastern Gulf of Alaska Area; and 5 AAC 77.674. Personal use bottomfish fishery.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would reduce the minimum inside diameter of circular escape rings from 3^{3/4} inches to 3^{1/2} inches on pots used to take sablefish in the subsistence, commercial, and personal use sablefish fisheries in Northern Southeast Inside (NSEI; Chatham Strait) and Southern Southeast Inside (SSEI; Clarence Strait) Subdistricts.

WHAT ARE THE CURRENT REGULATIONS? Subsistence, personal use, and commercial groundfish pots used to take sablefish must have 2 circular escape rings with a minimum inside diameter of 3 and 3/4 inches installed on opposing vertical or sloping walls.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The size of escape rings required in sablefish pots would be reduced from 3 and 3/4 inches to 3^{1/2} inches for the subsistence, commercial, and personal use sablefish fisheries. The size of escape rings determines which sizes of sablefish can escape the pot. Selecting a biologically appropriate escape ring diameter reduces discard and handling mortality of small, immature fish and secures the future viability of the fishery by allowing immature fish to reach maturity and reproduce. Although a reduction in the size of escape rings will increase the catch of smaller sablefish this proposal would maximize catch rate in the subsistence, commercial, and personal use fisheries while still ensuring immature fish can escape pot gear.

BACKGROUND: Escape rings influence selectivity and capture efficiency of sablefish in pot gear by minimizing catch of immature fish, reducing discard mortality, and maximizing catch of larger, more desirable fish. The optimal escape ring size is based on sablefish size at maturity to ensure low catches of immature sablefish while maintaining high catch per unit of effort (CPUE) of mature sablefish. Estimated length at 50% maturity (L_{50}) of sablefish is 63 cm in NSEI and SSEI waters. Research conducted in 2019 in Chatham Strait found that small changes in escape ring size significantly altered the selectivity of sablefish and that 3^{1/2} inches escape rings maximized catch rates of mature sablefish (length greater than or equal to 63 cm) while still allowing immature fish to escape when compared to the control (no escape rings) and 2 larger escape ring sizes (Sullivan et al. 2024).

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Incorporating an escape ring size of 3^{1/2} inches into subsistence and personal use pot gear would be consistent with the legal description of commercial sablefish pot gear, if all 3 changes are adopted. The proposed gear modification is a slight reduction from changes made during the previous board cycle due to additional analyses that support the proposed size.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery if the person wishes to reduce their escape ring size. This additional cost would be to purchase 2 escape rings for each pot (approximately \$3 per ring). Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 195 – 5 AAC 28.110. Sablefish fishing seasons for Eastern Gulf of Alaska Area.

PROPOSED BY: John Johanson.

WHAT WOULD THE PROPOSAL DO? This would lengthen the season for the Southern Southeast Inside (SSEI) Subdistrict pot and longline sablefish fishery to coincide with the federal Individual Fishing Quota (IFQ) sablefish fishery season that opens early to mid-March and closes in early December.

WHAT ARE THE CURRENT REGULATIONS? The SSEI sablefish fishery is open from 12:00 noon June 1 through 12:00 noon November 15 for pot and longline gear. This fishery is limited entry and is managed using an annual harvest objective (AHO) that is divided into Equal Quota Shares (EQS) for the 22 permit holders.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would extend the SSEI commercial sablefish fishery season to coincide with the federal IFQ sablefish fishery, opening in March and closing in December. The department would not be able to utilize the existing fishery data analysis methodology to make informed decisions, and research surveys would need to be redesigned to capture useful data for management.

BACKGROUND: State managed sablefish fisheries occur in the Northern Southeast Inside (NSEI; Chatham Strait) and SSEI (Clarence Strait) Subdistricts. Guideline harvest ranges (GHR) were established for both fisheries in 1980 based on historical catches, and in 1985, a limited entry program began for both the NSEI and SSEI sablefish fisheries. To stay within the GHRs amidst increasing vessel efficiencies and fast-paced fisheries, the board adopted an EQS system for the NSEI fishery beginning in 1994, and a similar EQS system for the SSEI fishery in 1997.

To assess relative abundance of sablefish over time in each area, the department began conducting annual longline research surveys in 1988. The surveys occur before the opening of the commercial fishery to determine sablefish population composition before fishery removals occur. The SSEI annual survey occurs in late April or early May during which department staff collect length, weight, sex, stage of maturity, and age data from sablefish. These data are used to describe the age/size structure of the population and recruitment events to set the AHO for the following year.

This season date change for Southeast sablefish has been proposed by the public several times and the board has not supported the change.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department would not be able to utilize historical survey information to inform management decisions due to survey results being impacted by fishery removals occurring prior to and concurrently with annual surveys. Survey results would be impacted by fishery removals as changes in sablefish abundance may be masked by changes to survey protocol. The department could not conduct the survey earlier given poor weather conditions, sablefish spawning timing, and unavailability of seasonal staff.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 196 – 5 AAC 28.130 Lawful gear for Eastern Gulf of Alaska Area.

PROPOSED BY: Alaska Longline Fishermen’s Association and Southeast Alaska Fishermen's Alliance.

WHAT WOULD THE PROPOSAL DO? This would reduce the minimum inside diameter of circular escape rings from 3 ^{3/4} inches to 3 ^{3/8} inches on pots used to take sablefish in the commercial state-managed sablefish fisheries in Northern Southeast Inside (NSEI; Chatham Strait) and Southern Southeast Inside (SSEI; Clarence Strait) Subdistricts.

WHAT ARE THE CURRENT REGULATIONS? Subsistence, personal use, and commercial groundfish pots used to take sablefish must have 2 circular escape rings with a minimum inside diameter of 3 ^{3/4} inches installed on opposing vertical or sloping walls.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The size of escape rings required in sablefish pots would be reduced from 3 ^{3/4} inches to 3 ^{3/8} inches only for the commercial fishery. This would result in escape rings in personal use and subsistence sablefish fisheries being more restrictive than escape rings in the commercial sablefish fishery. The size of escape rings determines which sizes of sablefish can escape the pot. Selecting a biologically appropriate escape ring diameter reduces discard and handling mortality of small fish and secures the future viability of the fishery by allowing immature fish to reach maturity and reproduce. A reduction in escape ring size will increase the catch of smaller sablefish.

BACKGROUND: Escape rings influence selectivity and capture efficiency of sablefish in pot gear by minimizing catch of immature fish, reducing discard mortality, and maximizing catch of larger, more desirable fish. The optimal escape ring size is based on sablefish size at maturity to ensure low catches of immature sablefish while maintaining high catch per unit of effort (CPUE) of mature sablefish. Estimated length at 50% maturity (L_{50}) of sablefish is 63 cm in NSEI and SSEI waters. Research conducted in 2019 in Chatham Strait found that small changes in escape ring size significantly altered the selectivity of sablefish and that 3 ^{1/2} inches escape rings maximized catch rates of mature sablefish (length greater than or equal to 63 cm) while still allowing immature fish to escape when compared to the control (no escape rings) and 2 larger escape ring sizes (Sullivan et al. 2024).

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department submitted Proposal 194 to reduce the escape ring size from 3 ^{3/4} inches to 3 ^{1/2} inches, a biologically based recommendation. The department’s proposal includes reducing the escape ring size for subsistence and personal use sablefish pots in addition to commercial pots. Escape ring size regulations for subsistence, personal use, and commercial pot gear should be consistent.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery if the person wishes to reduce their escape ring size. This additional cost would be to purchase 2 escape rings for each pot (approximately \$3 per ring). Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 197 – 5 AAC 01.714. Limitations on participation in subsistence finfish fisheries; 5 AAC 28.180. Prohibitions for Eastern Gulf of Alaska Area; and 5 AAC 77.674. Personal use bottomfish fishery.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would clarify and amend existing regulations regarding subsistence, personal use, and commercial groundfish fisheries in the Northern Southeast Inside (NSEI) and Southern Southeast Inside (SSEI) Subdistricts.

WHAT ARE THE CURRENT REGULATIONS? Current regulations are designed to prevent subsistence and personal use-caught fish from being commercially sold by requiring that groundfish taken with longline gear for subsistence and personal use purposes be offloaded from a vessel before that vessel is used to take groundfish in a commercial fishery with longline gear. A vessel, or person on board a vessel, from which commercial, subsistence, or personal use longline fishing gear was used to take fish in NSEI or SSEI during the 72-hour period immediately before the start of the commercial sablefish fishery in that subdistrict, or from which that gear will be used during the 24-hour period immediately after the closure of the commercial sablefish fishery in that subdistrict, may not participate in the taking of sablefish in that subdistrict during that open sablefish fishing period. A vessel, or a person on board a vessel, who has harvested and sold their personal quota share (PQS) before the final day of the sablefish season in that subdistrict is exempt from the prohibition on fishing longline gear during the 24-hour period immediately following the closure of the sablefish fishery in that subdistrict. In addition, a vessel or a person on board a vessel, commercial fishing for sablefish in NSEI or SSEI may not operate subsistence or personal use longline gear for groundfish from that vessel until all sablefish harvested in the commercial fishery are offloaded from the vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would clarify and improve separation of sablefish caught in the commercial fishery from sablefish caught in the subsistence and personal use fisheries for all gear types. This would prohibit operation of all subsistence groundfish and personal use bottomfish gear from vessels that are commercial fishing for groundfish until all commercially harvested groundfish are offloaded from the vessel and would prohibit operation of commercial gear from vessels that are subsistence groundfish or personal use bottomfish fishing until all subsistence or personal use fish are offloaded from the vessel. It would prohibit subsistence or personal use caught groundfish from being sold in a commercial fishery, and it would prohibit vessels with a commercially caught groundfish overage from retaining the excess as subsistence or personal use. The language is updated to include all allowable gear types under subsistence, personal use, and commercial groundfish fisheries given recent regulatory gear changes. This proposal would improve the accuracy of harvest reporting for fishery managers and would allow enforcement to ensure appropriate separation of fishery types.

BACKGROUND: State-managed sablefish fisheries have occurred under a limited entry program since 1985 for NSEI (Chatham Strait) and SSEI (Clarence Strait and adjacent waters of Dixon Entrance). Personal use fishing for bottomfish was authorized in the Southeastern Alaska Area in 1989. Customary and traditional use findings for bottomfish were made by the board for many areas of Southeast Alaska in 1993. In 2012, the board adopted a regulation that required residents of Alaska to obtain a harvest permit prior to participating in subsistence and personal use sablefish fisheries in Southeast Alaska. This permit provides managers with harvest and effort information to more accurately estimate total sablefish removals from these fisheries. The board also approved

a proposal in 2012 to clarify the prohibitions on the operation of longline gear for sablefish permit holders and to prohibit the operation of subsistence and personal use gear for groundfish when the vessel is fishing for commercial sablefish or has commercial sablefish on board. In 2015, longline gear restrictions, household harvest limits, and vessel limits were adopted for subsistence and personal use sablefish fisheries due to concerns of declining sablefish biomass. In 2017, the Commercial Fisheries Entry Commission (CFEC) approved a petition from industry to allow SSEI sablefish C61C permits to be changed to longline/pot permits due to whale depredation issues and concerns in the longline fishery. In 2018, the board adopted a regulation allowing pots as a legal gear type in the Southeast Alaska personal use sablefish fishery, previously longline and handheld lines were the only gear types allowed. In 2022, CFEC approved a petition from industry to allow NSEI sablefish C61A permits to be changed to longline/pot permits.

In recent years, there has been an increase in the use of groundfish pot gear including slinky pots, in subsistence, personal use, and commercial groundfish fisheries. Legal gear for the subsistence sablefish fishery includes pot, longline, and mechanical jigging machines; legal gear for the personal use sablefish fishery includes pot, longline, and handheld line; and legal gear for the commercial fisheries includes pot and longline. The department would like to provide clarification to prevent overlap in retention of groundfish species among fisheries and to improve management of groundfish by extending regulatory restrictions to all legal gear types in these fisheries. This proposal also streamlines regulatory language for consistency among all 3 fisheries.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Clear separation of these fisheries aids with enforcement of regulations.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 198 – 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

PROPOSED BY: Kurt Mattle.

WHAT WOULD THE PROPOSAL DO? This would increase the resident sport fish bag and possession limit for sablefish from 4 to 6 fish.

WHAT ARE THE CURRENT REGULATIONS? Resident anglers in Southeast Alaska have a bag and possession limit of 4 sablefish with no annual limit. Residents may harvest up to 50 sablefish per household annually under personal use regulations and an unlimited number of sablefish under subsistence regulations.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Increasing the bag and possession limit by 2 fish will increase harvest opportunity for resident sport anglers. This is expected to result in a small increase (in the magnitude of hundreds) in sablefish harvest by resident sport anglers.

BACKGROUND: The resident sport harvest of sablefish in SEAK averages 437 fish annually (2014-2023; Statewide Harvest Survey). Harvest by resident anglers averaged 7% of the total Southeast Alaska (SEAK) sport harvest (2021-2023), with the vast majority (> 90%) of sablefish being harvested by nonresidents. The distance from population centers to sablefish habitat, the additional cost of specialized equipment (electric reels), and the opportunity for Alaska residents to fish under more liberal and efficient personal use or subsistence regulations all likely contribute to sablefish being rarely targeted in the SEAK resident sport fishery.

The department evaluates sablefish stock status and establishes the Northern Southeast Inside (NSEI) Subdistrict acceptable biological catch (ABC) and subsequent annual harvest objective (AHO). Estimated sport harvest and other sources of mortality are subtracted from the ABC prior to establishing the NSEI commercial annual harvest objective (AHO). Thus, an increase in sport harvest and other sources of mortality negatively impacts the AHO for commercial harvest in NSEI. In Southern Southeast Inside (SSEI) Subdistrict the department evaluates stock status and establishes the AHO using commercial fishery and longline survey data, but sport harvest is not used in determining the AHO in SSEI.

Sablefish bag and possession limits were initially established by the board in February 2009 with a bag limit of 2 fish, possession limit of 4 fish, and an annual limit of 8 fish for all anglers. In April 2009, the bag limit for resident anglers was increased to 4 fish and the resident annual limit was removed. In 2012, the nonresident annual limit was also removed except within District 12. In 2018 the board reestablished the annual limit of 8 fish for nonresident anglers regionwide. The board rejected a proposal during the 2022 meeting that sought to establish differential bag and possession limits for resident and nonresident anglers based on the recommended ABC for sablefish in NSEI management area.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. If adopted, the department does not think the potential increased harvest would result in any conservation concerns.

To comply with the Magnuson–Stevens Fishery Conservation and Management Act, sport fish management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). Preferential management provisions for Alaska residents

may only be applied within State waters (generally 0–3nm from shore). Additional information is provided in proposal 105.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

LINGCOD (5 PROPOSALS)

PROPOSAL 199 – 5 AAC 28.111. Demersal shelf rockfish fishing seasons for Eastern Gulf of Alaska Area. and 5 AAC 28.113. Lingcod fishing seasons for Eastern Gulf of Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would add a weather delay provision that would postpone the opening date of the directed demersal shelf rockfish (DSR) and directed lingcod fisheries if the weather forecast meets gale warning or higher criteria in management areas in the Eastern Gulf of Alaska (EGOA) Area.

WHAT ARE THE CURRENT REGULATIONS? Demersal shelf rockfish are defined as yelloweye, quillback, copper, tiger, China, canary, and rosethorn rockfish. In the Southeast District, DSR may be taken in the directed fishery in the Southeast Outside (SEO) Subdistrict, from January 5 until the day before the start of the commercial halibut season, or until the annual directed harvest limit for the management area is taken, whichever occurs first. In the Northern Southeast Inside (NSEI) and Southern Southeast Inside (SSEI) Subdistricts, DSR may be taken in the directed fishery from January 5 until the day before the start of the commercial halibut season or until 67% of the annual directed harvest limit for the management area is taken, whichever occurs first; and from the day following the end of the commercial halibut season through December 31, or until the remainder of the annual directed harvest limit for the management area is taken, whichever occurs first.

In the EGOA, lingcod may be taken in a directed lingcod fishery only from May 16 through November 30, or until harvest allocations are taken and the fishery is closed by emergency order.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Adding a weather delay provision provides for a safe and fair start to the directed DSR and lingcod fisheries that have had diverse participation in terms of vessel size and port of departure. Additionally, a weather delay may aid management by reducing the likelihood of effort being concentrated in a single area that may have more favorable weather. Similar weather delay provisions are in place for many other fisheries across the state.

BACKGROUND: Both the directed DSR and lingcod fisheries occur in SEO waters, with the DSR fishery opening in February and the lingcod fishery opening on May 16. Fishing grounds are several miles offshore and extreme weather conditions are common during the late winter and early spring. If the season opening for the directed DSR or directed lingcod fishery occurs during a period of poor weather (i.e., a gale warning), larger, more sea-worthy vessels are at an advantage to travel to the fishing grounds and begin fishing first. Opening the fishery during poor weather conditions puts vessels and permit holders at risk because of the pressure to fish as soon as the fishery opens, as the fishery openings may only be a few days.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Both the directed DSR and lingcod fisheries are open access and tend to be fast-paced, derby style fisheries with openings lasting only a few days in some management areas. The DSR directed fishery has been closed in both outside and inside waters since 2020 due to stock conservation concerns; however, the directed fishery may open in the future and the department would benefit

from the flexibility of providing weather delays given the short openings in February in SEO waters.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

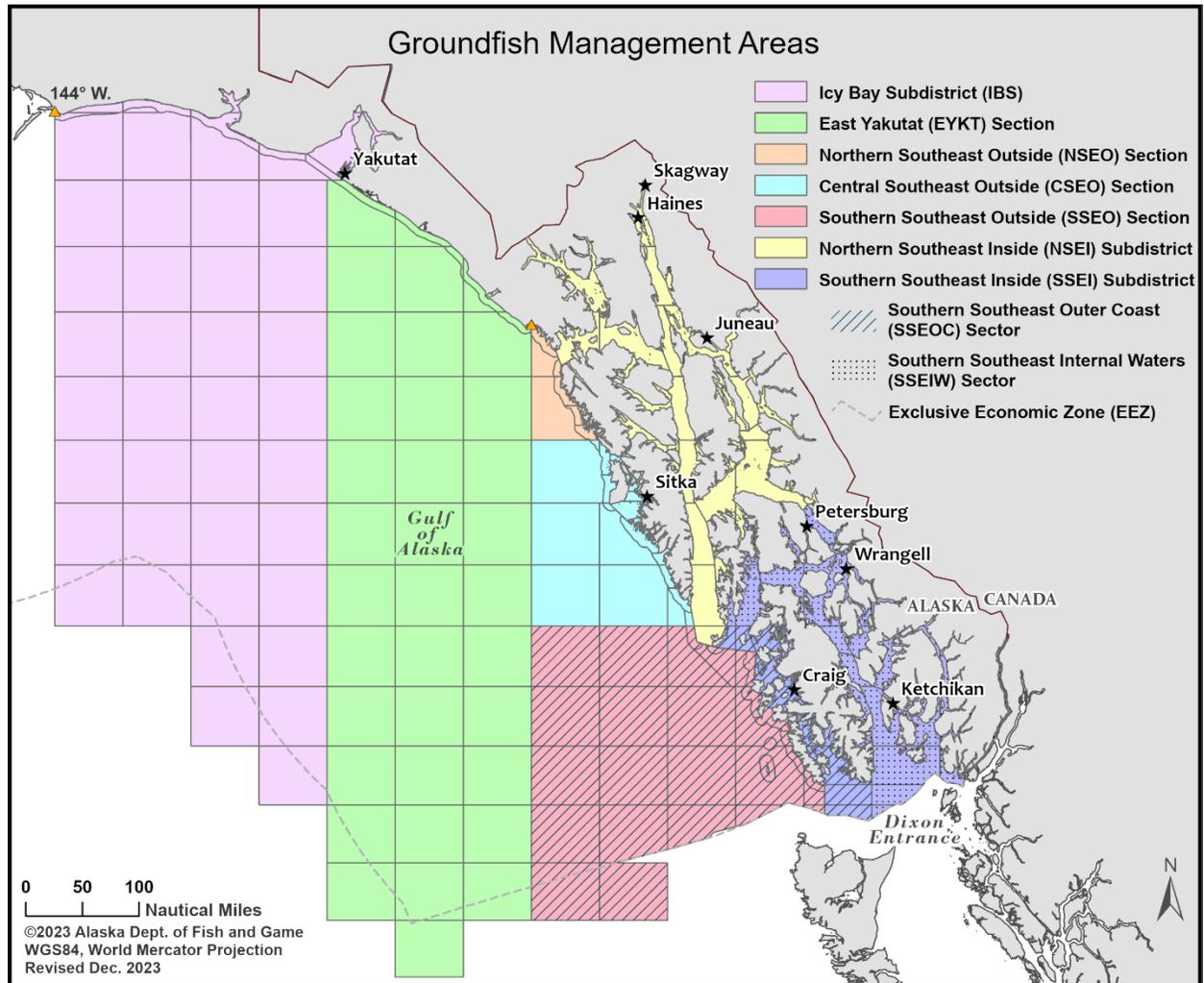


Figure 199-1.-Southeast Alaska Groundfish Management Areas.

PROPOSAL 200 – 5 AAC 28.173. Lingcod possession and landing requirements for Eastern Gulf of Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would adopt a catch reporting requirement for directed lingcod fisheries for the Eastern Gulf of Alaska (EGOA) Area.

WHAT ARE THE CURRENT REGULATIONS? Logbooks are required for the directed fishery but are not submitted to the department until after the fish are landed, typically with the fish ticket; fish tickets are required to be submitted within 7 days of the landing. Lingcod may be taken in a directed fishery only by dinglebar troll gear, hand troll gear, and mechanical jigging machines. The directed fishery opens at 12:01 a.m. on May 16 in outside waters of the Southeast District only and remains open until harvest allocations are taken or until 11:59 p.m. November 30, whichever occurs first.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would require directed lingcod fishery participants to communicate their effort and harvest information during the fishery as often as requested by the department. Directed lingcod fishery participants would need a means to relay this information to the department from the fishing grounds, which are often beyond normal cellular service range. This would provide fishery managers with the most accurate, up to date information so that fishery closures could be made based on the most accurate estimates of total harvest. Fishery managers could provide the fleet with more notice of fishery closures, answer questions from the fleet while on the grounds, and ensure sustainable fisheries by staying within fishery allocations.

BACKGROUND: Prior to the inception of the directed lingcod fishery in 1987, lingcod landed in the Southeast District were captured incidentally in fisheries targeting other species. The directed lingcod fishery steadily grew in physical size and in participation from the late 1980s through the 1990s, with a major expansion of the fishery boundaries occurring in 1995 in the East Yakutat Section (EYKT), primarily the addition of the Fairweather Grounds. Lingcod have been managed using guideline harvest levels (GHL) and fishery allocations in regulation since the early 1990s (Table 200–1). There is no directed lingcod fishery in inside waters. The department does not have a stock assessment for lingcod and is not currently able to estimate lingcod biomass or abundance in Southeast Alaska.

There are similar fishery reporting requirements around the state that allow managers to closely monitor fisheries and target harvest levels.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Fishery-specific catch reporting requirements are commonly used in fisheries around the state for groundfish and shellfish fisheries to accurately target harvest limits. Two-way communication would benefit the managers and the fishery participants, allowing the department to more closely target guideline harvest levels. In recent years, most of the directed lingcod allocations have been met as effort and harvest have increased, and the pace of the fishery has increased. For example, the directed lingcod fishery in the EYKT area has the largest allocation (111,000 round lb), and this has been harvested in 3 days or less on average. The department must make quick decisions on closures based on the approximate catch from each fishing vessel, typically within the first 24 hours of fishing. The department currently asks permit holders to voluntarily report their catch every 12 to 24 hours, but compliance is inconsistent and sometimes low. This results in managers

closing fisheries with limited information inseason, resulting in underharvest or overharvest in the directed lingcod fisheries.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery. If a fisher lacks a communication device that can send and receive messages while out on the fishing grounds, such as a cell phone with satellite internet or a satellite communication device, there will be an additional direct cost for a private person. Cost of basic satellite texting devices range from \$240–\$355, including the device, a one-time activation fee, and a monthly subscription plan; however, many vessels already have these devices or are equipped with satellite internet. Approval of this proposal is not expected to result in an additional cost to the department.

Table 200-1.–Directed lingcod fishery annual harvest allocations, in round lb.

Lingcod management areas	Annual harvest allocation (round lb)
Icy Bay Subdistrict (IBS)	46,000
East Yakutat (EYKT) section	111,000
Central Southeast Outside (CSEO) section	86,400
Northern Southeast Outside (NSEO) section	17,200
Southern Southeast Outer Coast (SSEOC) sector	50,100
Northern Southeast Inside (NSEI) subdistrict	0
Southern Southeast Internal Waters (SSEIW) sector	0

PROPOSAL 201 – 5 AAC 28.173. Lingcod possession and landing requirements for Eastern Gulf of Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would clarify lingcod bycatch overage requirements for groundfish longline and salmon troll fisheries in the Southeast District.

WHAT ARE THE CURRENT REGULATIONS? Current regulations state that vessels fishing for halibut may not land or have on board lingcod in excess of the bycatch percentage, as specified in the first emergency order of the season, by round weight, of all halibut on board the vessel. A vessel fishing for sablefish may not land or have on board lingcod, except when a vessel is fishing for halibut and sablefish at the same time, during which the vessel may not land or have on board lingcod in excess of the bycatch percentage, by round weight, of all halibut on board the vessel.

There are no regulations regarding lingcod bycatch overages for the salmon troll fishery. Lingcod may be retained as bycatch in the commercial longline, jig, and salmon troll fisheries; retention is limited to hook and line fisheries (no pots, trawls, or other net gears). Lingcod bycatch limits are set annually by area and fishery through emergency order and can be changed by the department, if necessary. The retention of lingcod bycatch in the commercial longline fishery is open year-round, or until area-specific longline allocations are harvested. Lingcod bycatch retention in the commercial salmon troll fishery is only open May 16–November 30 (to avoid fishing during nest guarding season) until area-specific troll allocations are harvested. Lingcod management areas are closed to lingcod retention as area bycatch allocations are taken (Table 201-1, Figure 201-1). Vessels with lingcod bycatch on board may not fish in an area closed to lingcod retention until those lingcod have been offloaded from the vessel.

Lingcod do not fall under a mandatory retention requirement because unlike rockfish, lingcod do not have a closed swim bladder that allows a higher chance of survival when released immediately at sea. Therefore, lingcod caught in excess of the allowable bycatch limit for a management area in a given fishery are required to be released at sea.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would provide clarity regarding lingcod bycatch in excess of the allowable bycatch limit for vessels fishing hook and line gear for groundfish and salmon troll. These regulations would clarify that all lingcod caught above the bycatch limit must be immediately released at sea. If the allowable bycatch limit for lingcod is exceeded and landed, proceeds from the overage must be forfeited to the State of Alaska and permit holders may be subject to law enforcement action.

BACKGROUND: In 2000, the board took significant actions to manage lingcod including harvest reductions from those implemented in 1993, inclusion of sport harvest in the total allowable harvest, and allocation of lingcod among fishing gear groups and areas. Since 2000, the department has set the guideline harvest levels (GHL) to the upper end of the guideline harvest range (GHR). The department currently has no stock assessment program in place to provide for reliable estimates of lingcod biomass or abundance. Without abundance estimates and without full knowledge of life history and behavior of lingcod, impacts to lingcod populations from fishing activities are difficult to assess.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. There has been confusion about lingcod bycatch retention, and this will provide regulatory clarification.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 201-1.–Lingcod allocations (round lb) by fishery and management area.

Area	IBS	EYKT	NSEO	CSEO	SSEOC	NSEI	SSEIW
GHL	100,000	225,000	40,000	240,000	167,000	32,000	52,000
Commercial directed fishery	46,000	111,000	17,200	86,400	50,100	0	0
Commercial longline bycatch	12,670	94,000	10,800	55,200	28,390	9,600	2,080
Commercial salmon troll bycatch	8,000	16,000	3,200	16,800	11,690	6,400	2,080
Commercial groundfish jig bycatch*	0	0	0	9,600	3,340	0	0
Sport fishery	33,330	4,000	8,800	72,000	73,480	16,000	47,840

Note: * denotes the groundfish jig bycatch fishery that is limited to mechanical jigging machines and hand troll gear.
Note: Lingcod management areas: Icy Bay Subdistrict (IBS), East Yakutat (EYKT) section, Northern Southeast Outside (NSEO) section, Central Southeast Outside (CSEO) section, Southern Southeast Outer Coast (SSEOC) sector, Northern Southeast Inside (NSEI) subdistrict, and Southern Southeast Internal Waters (SSEIW) sector.

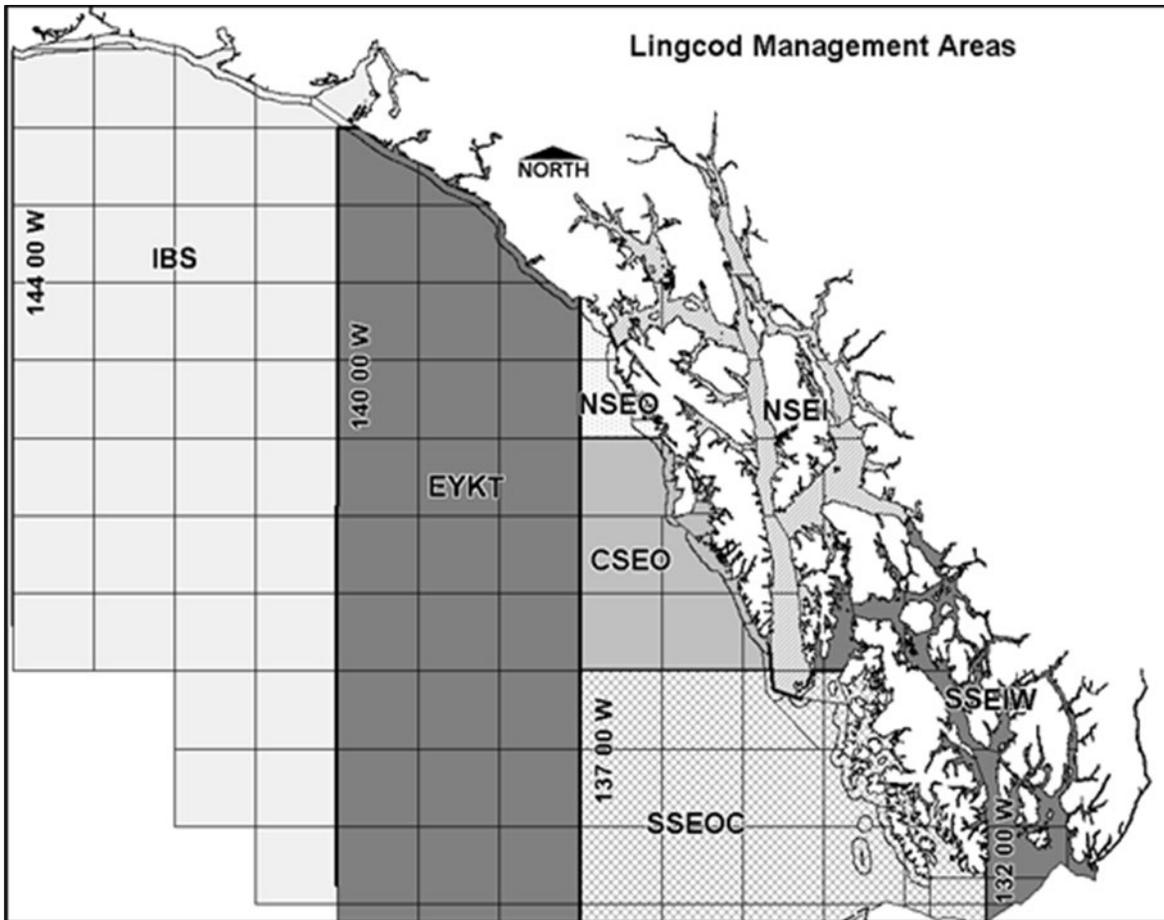


Figure 201-1.—Southeast Alaska lingcod management areas.

PROPOSAL 202 – 5 AAC 28.130. Lawful gear for Eastern Gulf of Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would clarify that only 1 line can be used for dinglebar gear in the commercial directed lingcod fishery.

WHAT ARE THE CURRENT REGULATIONS? In the Eastern Gulf of Alaska (EGOA) Area, lingcod may be taken in a directed lingcod fishery only by mechanical jigging machines, dinglebar troll gear, and hand troll gear. Dinglebar troll gear consists of a single line that is set and retrieved with a troll gurdy with a terminally attached weight from which one or more leaders with 1 or more lures or baited hooks are pulled through the water while a vessel is making way (Figure 202-1). Only 1 troll gurdy line may be deployed in the water at any time.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would clarify that only 1 operational unit of dinglebar troll gear would be allowed to be aboard a vessel or deployed from the vessel at or below the surface of the sea at any time. This would reduce confusion within the fleet over what constitutes operation of a single line because some vessels are deploying a second line once the first line has been retrieved, putting them at an advantage over vessels operating 1 line only. Fishers who have been using more than 1 line may experience a reduction in efficiency and catch rates when they conform to the regulatory requirement. Fishery managers will be able to better target harvest allocations, as allocations are currently being reached much more quickly with more vessels fishing a second line. Enforcement will have reference to a regulation that clearly defines dinglebar troll gear.

BACKGROUND: In 1994, the board restricted operation of dinglebar troll gear to use of a single line. The original proposal came from within the directed lingcod fleet and was aimed at limiting expansion of the fishery because competition for the lingcod resource had been increasing. At that time, the majority of dinglebar fishers targeting lingcod operated only 1 line. In 2012, the board approved language to clarify this regulation to a single line, as fishers were fishing a second line. Due to lack of clarity in this regulation, vessels participating in the directed lingcod fishery with dinglebar gear are still operating multiple lines at the same time, leading to increased harvest rates and exceeded guideline harvest levels. Vessels that are fishing in this manner have an advantage over vessels exclusively operating a single line because it takes time to haul gear to the surface, pull the train in, bring lingcod aboard, and then redeploy the gear back to depth. The intent of the original regulation was for fishers to have only 1 troll wire with 1 train on board and available to fish, establishing a steady pace for the fishery as fishers must remove fish from hooks and get the train ready to be deployed again. The directed lingcod fishery is open access.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The directed lingcod fishery allocations are taken in a short period of time and are difficult to manage in season. Current regulatory language is too vague for enforcement of fishing multiple lines; this amended language serves to clarify the intention of this regulation.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

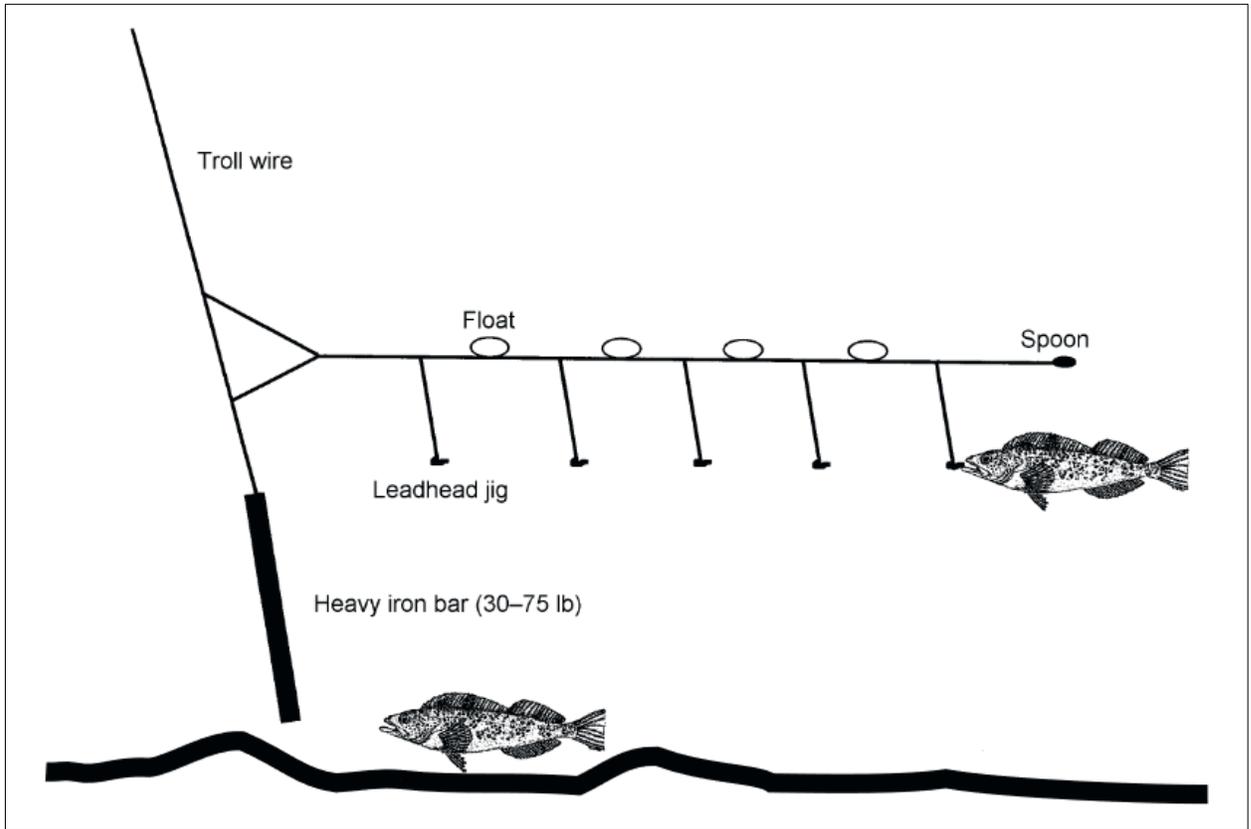


Figure 202-1.—Diagram of dinglebar troll gear used to fish for lingcod in Southeast Alaska.

PROPOSAL 203 – 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area. and 5 AAC 47.060. Lingcod delegation of authority and provisions for management.

PROPOSED BY: Justin Orr.

WHAT WOULD THE PROPOSAL DO? This would allow nonresident unguided anglers fishing in Southern Southeast Alaska (groundfish management areas Southern Southeast Inside Waters (SSEIW) and Southern Southeast Outer Coast (SSEOC)) 1 lingcod per day, 2 in possession, no size limit, with a 4 fish annual limit. Nonresident guided anglers fishing in Southern Southeast would be allowed 1 lingcod per day, 1 in possession, with an annual limit of 2 fish, 1 from 30-35 inches in length and 1 55 inches or greater.

WHAT ARE THE CURRENT REGULATIONS? Lingcod management provisions for the sport fishery are established annually through emergency order. Regulations are established by residency irrespective of guided/unguided status. Since 2009, Alaska residents in all Southeast have been allowed 1 lingcod of any size daily, 2 in possession, and no annual limit. Nonresidents in Southern Southeast Alaska are currently allowed 1 fish daily and in possession with an annual limit of 2 fish, 1 from 30-35 inches in length and 1 55 inches or greater. The season for all anglers is open May 16 through November 30. The more restrictive management actions are applied primarily to nonresident anglers (both guided and unguided) to keep the lingcod harvest within the sport fish allocation in each of 7 management areas in Southeast Alaska (SEAK).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would differentiate nonresident management provisions into unguided and guided. The proposed bag and possession limits for unguided nonresident anglers would be an increase in harvest opportunity. In order to keep the sport fishery within allocation, additional restrictions on the guided nonresident sector would be necessary. Resident regulations would be unaffected.

BACKGROUND: There are 7 lingcod management areas in SEAK each with a guideline harvest level (GHL: Table 203-1), as specified in regulation (5 AAC 28.160(e)). The sport fishery is allocated a portion of the lingcod GHL in each of these areas as specified in regulation (5 AAC 28.165). Fishery performance is reviewed annually, and adjustments made to nonresident seasons or slot limits to keep the sport fishery within its allocation. The 2 Southern Southeast management areas (SSEIW and SSEOC) have recently been managed together with identical regulations. Lingcod harvest has been increasing in the southern areas in recent years. During 2012 to 2020 lingcod harvest in SSEIW and SSEOC remained relatively stable, and the nonresident regulations allowed for 1 lingcod 30-45 inches. In 2021 and 2022, lingcod harvest in the sport fishery exceeded its allocation in SSEIW and SSEOC (Figure 203-2), and in response, the department used EO authority in 2023 and decreased the slot limit to 30-40 inches. Despite this reduction, harvest again exceeded the allocation in the southern areas in 2023. In 2024, the nonresident slot limit was further decreased to 30-35 inches. Lingcod 55 inches or greater are rarely encountered and do not substantially affect the harvest but provide the opportunity to harvest a trophy size lingcod if encountered.

Nonresident unguided anglers currently harvest about 20% of the nonresident portion of the harvest in SSEOC and 30% in SSEIW.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocation of harvest opportunity between guided and unguided nonresident sport anglers. If adopted this proposal

would establish regulations that are more liberal than the regulations issued by emergency order in 2024. A partial season closure for nonresident guided and unguided anglers would likely be needed to keep the sport fishery within allocation in SSEIW and SSEOC.

To comply with the Magnuson–Stevens Fishery Conservation and Management Act, sport fish management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). Preferential management provisions for Alaska residents may only be applied within State waters (generally 0–3nm from shore). Additional information is provided in proposal 105.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 203-1.—Lingcod guideline harvest levels and allocation to the sport fishery in Southeast Alaska by management area.

Management area	Guideline harvest level (pounds of lingcod)	Sport allocation (lbs)	% Sport allocation of the GHL
CSEO	0–240,000	72,000	30%
NSEO	0–40,000	8,800	22%
EYKT	0–225,000	4,000	2% up to 4,000lbs
NSEI	0–32,000	16,000	50%
IBS	0–100,000	33,330	33%
SSEOC	0–167,000	73,480	44%
SSEIW	0–52,000	47,840	92%

Note: The Southern Southeast Alaska management areas impacted by this proposal are highlighted in grey.

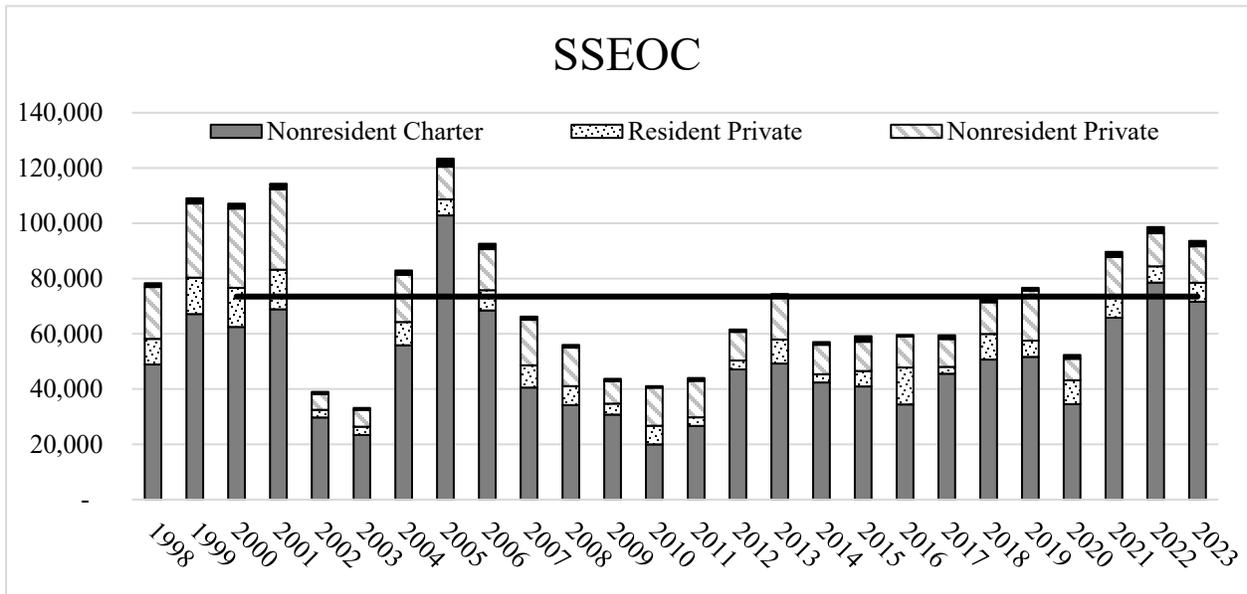
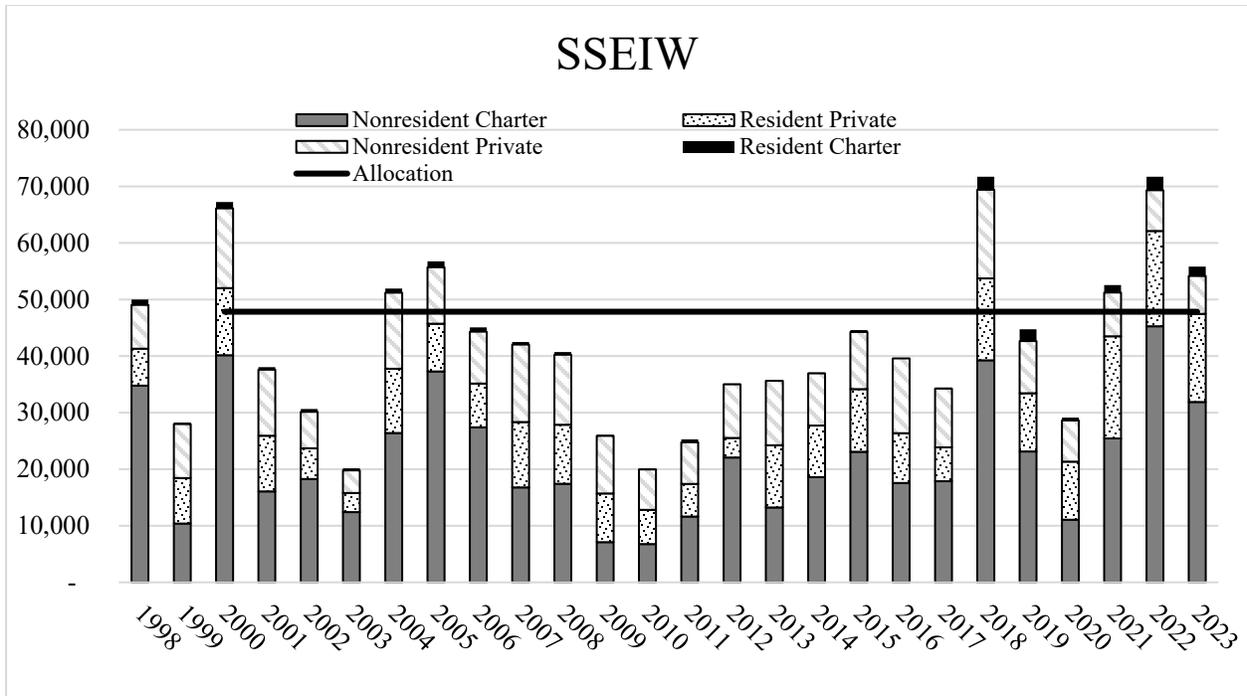


Figure 203-2.—Lingcod harvest by angler type and sport allocation in SSEIW (upper figure) and SSEOC (lower figure) and lingcod management areas of Southern Southeast Alaska, 1998–2023.

PACIFIC COD (2 PROPOSALS)

PROPOSAL 204 – 5 AAC 28.130 Lawful gear for Eastern Gulf of Alaska Area.

PROPOSED BY: Jared Bright.

WHAT WOULD THE PROPOSAL DO? This would allow pots to be longlined in the state waters of the Eastern Gulf of Alaska (EGOA) commercial Pacific cod fishery.

WHAT ARE THE CURRENT REGULATIONS? Directed fishing for Pacific cod requires a Commercial Fisheries Entry Commission (CFEC) miscellaneous finfish interim use permit card, and the fishery is open access. Vessels must register for the directed fishery prior to fishing, and completed logbooks must be submitted at the time of landing. Legal gear for the directed fishery includes longline, jig gear (dinglebar troll, hand troll, mechanical jiggling machines), and pots. Groundfish pots may not be longlined in the EGOA; pots may be longlined in sablefish fisheries of the Northern Southeast Inside (NSEI) and Southern Southeast Inside (SSEI) Subdistricts.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would allow longlined pot gear to be a lawful gear for the directed Pacific cod fishery. The effects of this proposal being adopted may increase efficiency of the fleet, increase effort in this open access fishery, increase the proportion of catch taken by pot gear, and reduce bycatch catch and mortality relative to longline hook and line gear.

BACKGROUND: A guideline harvest range (GHR) was implemented in 1994 to establish state management authority of Pacific cod in NSEI and SSEI. The GHR was set at 750,000–1,250,000 round lb based on traditional harvest patterns and to allow for potential expansion of the fishery. Since 1997, logbooks have been required in the directed Pacific cod fishery, allowing for more accurate harvest tracking and management. In 2000, the board limited gear for the harvest of Pacific cod to longline, jig gear, and pots. Longline gear is the primary gear used in the directed fishery in Southeast. Effort and harvest in the directed Pacific cod fishery using jig and pot gear remains confidential due to fewer than 3 permit holders fishing. In 2012, the board defined the open fishing period for the Pacific cod fishery as January 1–December 31, eliminating the need to open and close the fishery by emergency order.

The GHR is managed inseason based on harvest from the directed Pacific cod fishery as well as bycatch taken in other commercial fisheries including the halibut, demersal shelf rockfish (DSR), and sablefish. The directed fishery for Pacific cod has remained open year-round in state waters since the adoption of the GHR; however, geographic area closures have been implemented over the years to distribute effort and harvest and to prevent localized depletion. Spawning aggregations are targeted from October through April; consequently, management decisions are based on a seasonal harvest period of July 1–June 30 to avoid overharvest of Pacific cod during winter spawning. It is an open access fishery and there are no department stock assessment surveys for Pacific cod in Southeast Alaska.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. The department has no conservation concerns with longlining pot gear. There is less bycatch caught in pots compared to longline gear, a significant benefit of this gear type, and typically less gear loss with longlined pot gear relative to single line pot gear. Pot gear catches minimal rockfish, skates, dogfish, and other flatfish, that are commonly caught with longline hook gear. In Prince William Sound, longlined slinky pots have been successfully used to target Pacific cod.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 205 – 5 AAC 77.674. Personal use bottomfish fishery.

PROPOSAL 205 – Allow personal use retention of Pacific cod and rockfishes, including thornyhead rockfish, in pot gear.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would allow the retention of Pacific cod and rockfish, including thornyhead rockfish, in pot gear in the personal use bottomfish fishery.

WHAT ARE THE CURRENT REGULATIONS? In the personal use taking of bottomfish, only sablefish may be taken for personal use in pot gear, as well as by longline or handheld line. All other bottomfish may be taken for personal use only by longline or handheld line. A Southeast Alaska Subsistence and Personal Use Sablefish Fishing Permit is required for harvest of subsistence or personal use sablefish by Alaska residents. Personal use sablefish gear is restricted to longline, pot, or handheld line only; however, no bycatch may be retained if caught in pot gear.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would allow a personal use fisher to retain Pacific cod and rockfish, including thornyhead rockfish, caught in their pot gear. This would reduce discard mortality for Pacific cod and rockfish, as all bycatch caught in personal use pots must be released at sea. Allowing retention of Pacific cod and rockfishes will reduce waste and maintain consistency among retention regulations in subsistence, personal use, and commercial pot gear.

BACKGROUND: Pacific cod and most rockfish have a closed swim bladder and suffer embolism mortality when brought to the surface. Regulations have been developed to reduce the at-sea discard of rockfish due to their high post-release mortality. Since 2020, federal regulations have required full retention of all rockfish caught while commercial fishing for groundfish or halibut in federal waters. Since 2022, state regulations have required full retention of all rockfish caught while commercial fishing for groundfish or halibut in state waters.

With the recent increase in pot gear use in the personal use sablefish fisheries, Pacific cod and rockfishes caught as bycatch in pot gear must be released, despite their lower chances of survival after releasing due to barotrauma. Current regulations do not allow retention of Pacific cod or rockfishes in personal use pot gear; therefore, these bycatch species are discarded at sea.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

ROCKFISH (6 PROPOSALS)

PROPOSAL 206 – 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

PROPOSED BY: Tad Fujioka.

WHAT WOULD THE PROPOSAL DO? Reopen the yelloweye sport fishery for residents with a bag limit of 1 fish, possession limit of 2 fish, and no annual or size limit.

WHAT ARE THE CURRENT REGULATIONS? The sport fishery for yelloweye rockfish is closed for all sport anglers.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would provide resident harvest opportunity for yelloweye rockfish in the Southeast Alaska (SEAK) region. Because resident sport fishing effort in the SEAK marine fishery has remained relatively stable since the yelloweye fishery was last open, resident harvest is expected to be similar to that observed in 2010–2019 when the yelloweye rockfish resident bag and possession limits were identical to those proposed in this proposal.

BACKGROUND: In 2006, the board established an allocation of demersal shelf rockfish (DSR) for the sport fishery in the Southeast Outside subdistrict (SEO) and provisions for management under the *Demersal shelf rockfish delegation of authority and provisions for management* (5 AAC 47.065). The annual allowable catch of DSR in SEO is calculated based on the federal total allowable catch (TAC) of DSR, with 84 percent allocated to the commercial fisheries and 16 percent allocated to the sport fisheries after the estimated subsistence harvest has been subtracted from the TAC (5 AAC 28.160). Yelloweye rockfish are included in the DSR assemblage and are the prized sport species of rockfish.

During 2006 to 2019, the sport fishery for DSR rockfish was managed by an annual emergency order to stay within the sport allocation. During this time, DSR biomass and the resulting allocation for the sport fishery were on a declining trend, while at the same time harvest pressure in the sport fishery was increasing. As a result, increasingly restrictive management action was necessary to keep the sport fishery within allocation. After exceeding the allocation in 2015 and 2016, partial season closures were implemented in 2017-2019. Despite increasing the time period when DSR retention was prohibited in the sport fishery, the sport fish allocation was exceeded during these years (Figure 206-1). In 2020, the continuing trend of decreasing biomass in outside waters and increased harvest in inside waters led to closure of all DSR in the SEAK sport fishery by emergency order (Figure 206-2). Stock assessments for outside waters indicate yelloweye biomass has increased since 2021, resulting in increases in the total allowable catch and subsequent sport fishery allocation.

There is limited stock assessment information and no sport fish allocation for the inside waters of SEAK, but DSR populations in inside waters are assumed to be following similar trends in abundance as DSR populations in SEO. Regulations for inside waters have been established by emergency order since 2006 and have been similar to outside waters since 2017. In 2020, the nonpelagic rockfish grouping was decoupled into DSR and slope groupings and the DSR fishery was closed to retention in all Southeast waters due to conservation concerns while limited harvest opportunity was provided for slope rockfish.

Rockfish release devices have been mandatory for guided anglers since 2013 and all marine boat anglers since 2020. The release of rockfish at depth greatly improves survival after release (decreasing release mortality).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocation of harvest opportunity between resident and nonresident sport anglers. The department **SUPPORTS** limited harvest opportunity for yelloweye rockfish in the sport fishery that is not projected to exceed the sport allocation of DSR in SEO and maintains a conservative approach to management in the remainder of SEAK given limited stock information.

To comply with the Magnuson–Stevens Fishery Conservation and Management Act, sport fish management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). Preferential management provisions for Alaska residents may only be applied within State waters (generally 0–3nm from shore). Additional information is provided in proposal 105.

If adopted, the proposed resident yelloweye rockfish mortality combined with the recent levels of resident DSR (non-yelloweye) mortality is estimated to be below the sport allocation of total DSR for SEO (Figure 206-3). The magnitude of the proposed resident yelloweye fishery in SEAK is estimated to be approximately 5,800 fish (18 mt) of which 2,500 fish (8 mt) represents SEO. When combined with the recent resident DSR (non-yelloweye) mortality in SEO (3 mt), the total DSR mortality for SEO (11 mt) will remain below the sport allocation (average 41 mt from 2017–2023). This magnitude of harvest is thought to be within sustainable harvest levels for all SEAK waters.

The department is continuing to advance research efforts that will aid in developing sustainable rockfish management. This includes efforts to develop a stock assessment for yelloweye rockfish in the inside waters of SEAK. The department continues to recommend a precautionary approach to rockfish management.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No. Portions of Southeast Alaska are within the Ketchikan and Juneau nonsubsistence areas.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined under 5 AAC 01.716(a) that bottomfish in portions of districts 2-10 and 12-15 are customarily and traditionally taken for subsistence uses.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has not established an amount of rockfish that are reasonably necessary for subsistence uses in Southeast Alaska.
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

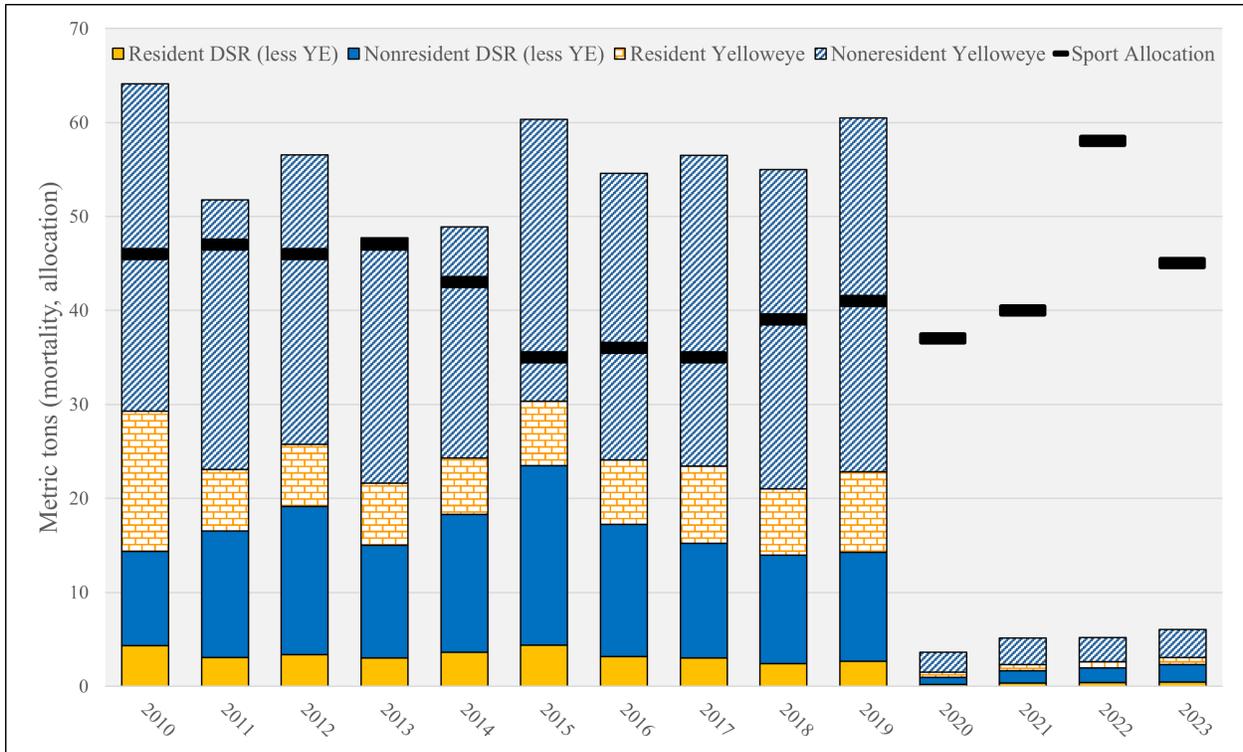


Figure 206-1.—Demersal shelf rockfish (DSR) total biomass mortality and allocation in the sport fishery from the Southeast Outside (SEO) subdistrict of Southeast Alaska, 2010–2023.

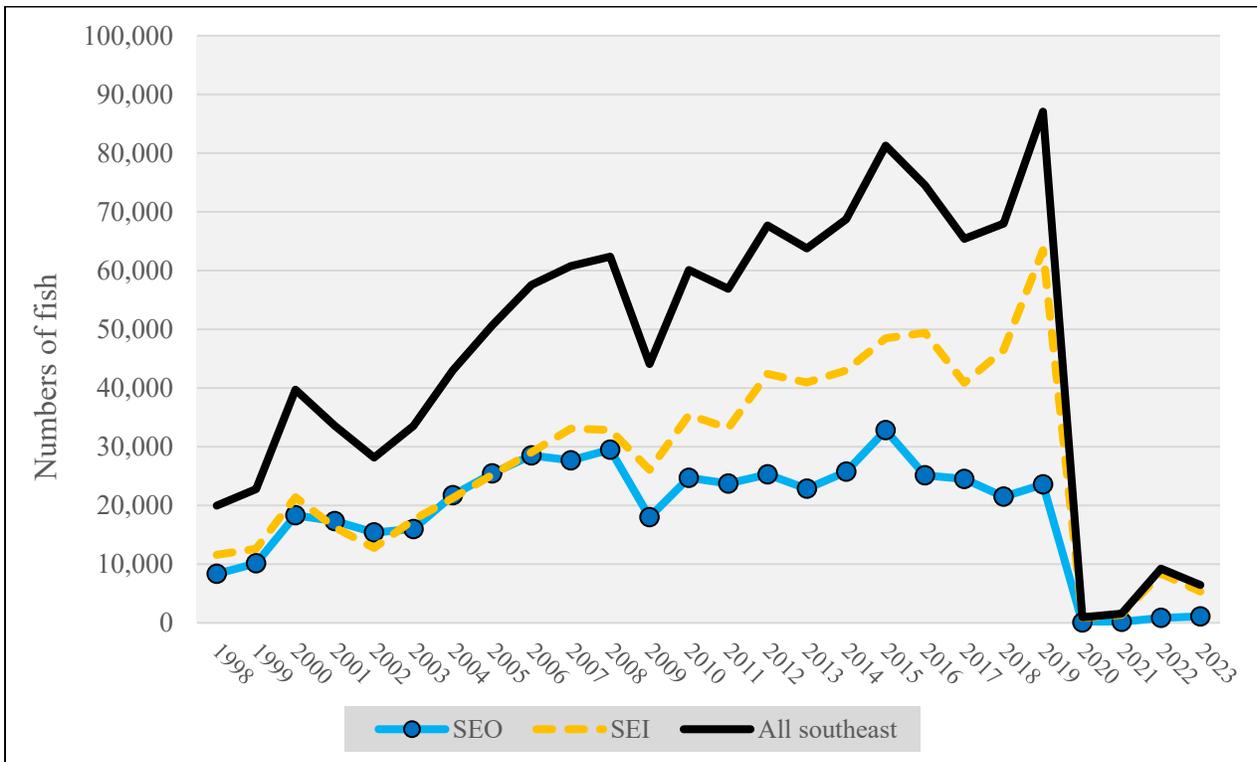


Figure 206-2.—Sport mortality (numbers of fish, harvest plus release mortality) of demersal shelf rockfish (DSR) in SEO, SEI, and total mortality in Southeast Alaska, 1998–2023 estimated by the SRI method.

Table 206-3.—Current sport mortality of DSR rockfish (metric tons) and expected sport mortality if proposal 206 is adopted.

Current mortality of DSR rockfish			
	SEO	SEI	All SEAK
Resident yelloweye	Closed ¹	Closed ¹	Closed ¹
Resident DSR non-yelloweye	3	7	10
Total	3	7	10

If proposal 206 were adopted			
	SEO	SEI	All SEAK
Resident yelloweye	8	10	18
Resident DSR non-yelloweye	3	7	10
Total	11	17	28

¹ Denotes that species were closed to retention; release mortality only.

PROPOSAL 207 – 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

PROPOSED BY: Kurt Whitehead.

WHAT WOULD THE PROPOSAL DO? Reopen the nonresident sport fishery for demersal shelf rockfish (DSR), excluding yelloweye, with a bag and possession limit of 1 fish and an annual limit of 2 fish.

WHAT ARE THE CURRENT REGULATIONS? The sport fishery for DSR is closed for nonresident anglers. Alaska residents have a bag limit of 1 and possession limit of 2 fish, no size or annual limit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would provide nonresident harvest opportunity for DSR species, other than yelloweye rockfish, in the Southeast Alaska (SEAK) region. The total mortality of a nonresident DSR (non-yelloweye) fishery with a 2 fish annual limit when combined with the resident DSR (non-yelloweye) fishery is estimated to be approximately 94,300 fish (96 mt) in SEAK of which 27,600 fish (36 tons) represents the Southeast Outside subdistrict (SEO; Figure 207-1); this amount exceeds the overfishing limit (OFL) of 26 mt established for DSR (non-yelloweye) species in SEO.

BACKGROUND: Additional background information on the management and fishery performance of the DSR sport fishery is provided in staff comments for proposal 206. Historically, yelloweye rockfish have been the primary DSR species targeted in the sport fishery and have comprised the largest portion of DSR harvest in the SEO (Figure 206-1). Before the sport fishery for DSR was closed in 2020 the harvest and total mortality of DSR (non-yelloweye) followed similar trends of increasing harvest in the sport fishery, especially in Southern Southeast Inside subdistrict (SSEI) (Figure 207-2). In 2022, the board opened the DSR (non-yelloweye) sport fishery for residents only and yelloweye remained closed for all anglers.

The department has delegated authority to manage demersal shelf rockfish in the Southeast Outside subdistrict (SEO) within the harvest limits set by the North Pacific Fishery Management Council (NPFMC). In addition to establishing harvest limits for yelloweye rockfish, the NPFMC also establishes harvest limits for non-yelloweye DSR species in SEO. The recommended overfishing limit (OFL) and acceptable biological catch (ABC) for DSR (non-yelloweye) species in SEO is fixed at 26 mt and 20 mt, respectively. Sources of mortality in sport, commercial and subsistence fisheries all contribute towards the OFL and ABC of DSR (non-yelloweye) in SEO.

DEPARTMENT COMMENTS: The department **OPPOSES** opening a DSR (non-yelloweye) sport fishery that would be expected to exceed the OFL for DSR (non-yelloweye) species in SEO. The department has concerns with adopting regulations that would shift harvest patterns towards DSR (non-yelloweye) species for which there is limited stock status information.

The stock assessment for DSR in SEO is based on yelloweye rockfish abundance, with yelloweye rockfish used as an indicator stock for all other DSR species. Although assessments for outside waters indicate yelloweye biomass has increased since 2021, the stock status of other DSR species (non-yelloweye) is less informed but would be considered to be in overfished status if the OFL of 26 mt is exceeded.

To comply with the Magnuson–Stevens Fishery Conservation and Management Act, sport fish management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). Preferential management provisions for Alaska residents may only be applied within State waters (generally 0–3nm from shore). Additional information is provided in proposal 105.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No. Portions of Southeast Alaska are within the Ketchikan and Juneau nonsubsistence areas.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined under 5 AAC 01.716(a) that bottomfish in portions of districts 2-10 and 12-15 are customarily and traditionally taken for subsistence uses.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has not established an amount of rockfish that are reasonably necessary for subsistence uses in Southeast Alaska.
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 207-1.–Estimated sport mortality of DSR rockfish (non-yelloweye; metric tons) if Proposal 207 were adopted, for SEO, SEI, and total in Southeast Alaska.

	SEO	SEI	All SEAK
Nonresident DSR (non-yelloweye)	33	52	85
Resident DSR (non-yelloweye)	3	7	10
Total	36	59	95

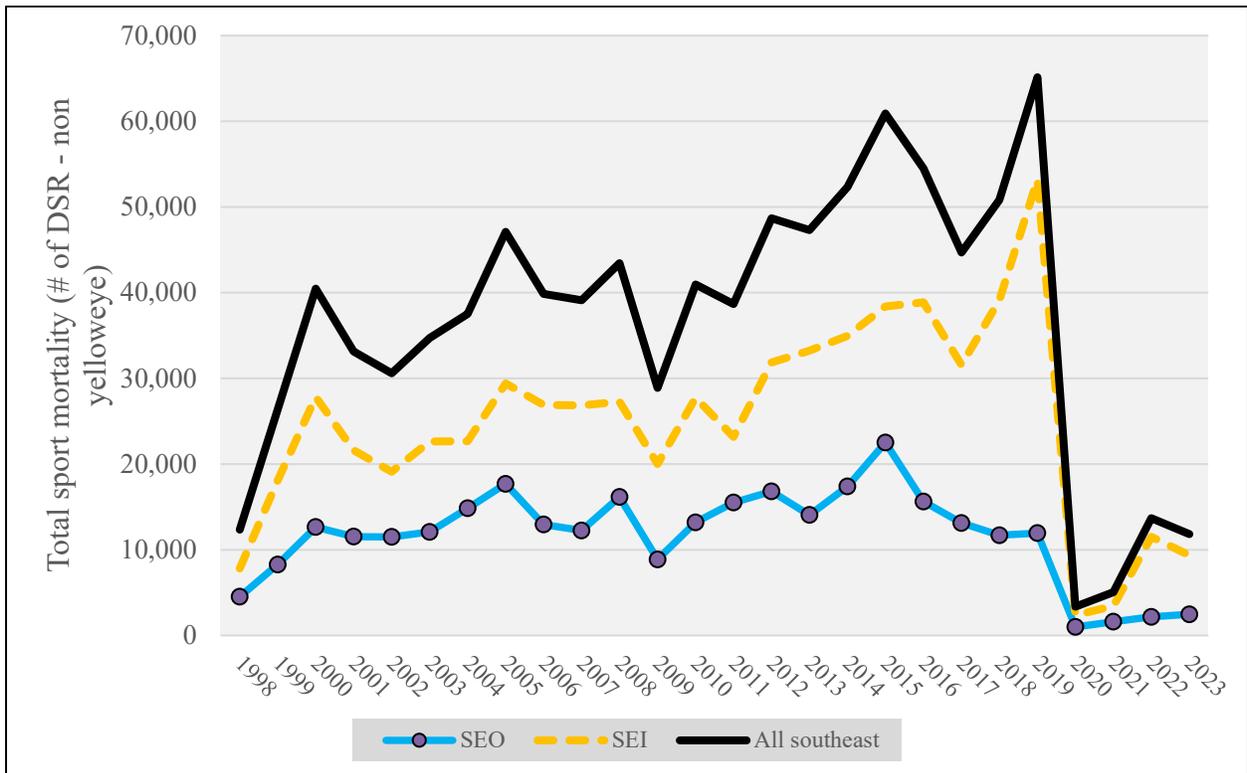


Figure 207-2.—Total sport mortality (numbers of fish, harvest plus release mortality) of DSR (non-yelloweye) in SEO, SEI, and total in Southeast Alaska, estimated by the SRI method, 1998–2023.

PROPOSAL 208 – 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

PROPOSED BY: Craig AC.

WHAT WOULD THE PROPOSAL DO? Reopen the nonresident sport fishery for demersal shelf rockfish (DSR), excluding yelloweye, with a bag, possession and annual limit of 1 fish.

WHAT ARE THE CURRENT REGULATIONS? The sport fishery for all DSR species is closed to nonresidents. Alaska residents have a bag limit of 1 and possession limit of 2, no size or annual limit for DSR species, excluding yelloweye.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would provide nonresident harvest opportunity for DSR (non-yelloweye) rockfish in the Southeast Alaska (SEAK) region. The total mortality of a nonresident DSR (non-yelloweye) fishery with a 1 fish annual limit when combined with the resident DSR (non-yelloweye) fishery is estimated to be approximately 79,000 fish (80 mt) in SEAK of which 23,000 fish (30 mt) represents the Southeast Outside subdistrict (SEO; Figure 208-1); this amount exceeds the overfishing limit (OFL) of 26 mt established for DSR (non-yelloweye) species in SEO.

BACKGROUND: Proposals 206, 207, and 208 would increase harvest opportunity for DSR in the sport fishery. Additional background is provided in proposal 206 and 207. Proposal 208 is distinguished from proposal 207 in that nonresident harvest opportunity for DSR (non-yelloweye) is slightly more restrictive by proposing an annual limit of 1 rather than an annual limit of 2.

DEPARTMENT COMMENTS: The department **OPPOSES** opening a DSR (non-yelloweye) sport fishery that would be expected to exceed the OFL for DSR (non-yelloweye) species in SEO. The department has concerns with adopting regulations that would shift harvest patterns towards DSR (non-yelloweye) species for which there is limited stock status information.

The stock assessment for DSR in SEO is based on yelloweye rockfish abundance, with yelloweye rockfish used as an indicator stock for all other DSR species. Although assessments for outside waters indicate yelloweye biomass has increased since 2021, the stock status of other DSR species (non-yelloweye) is less informed but would be considered to be in overfished status if the OFL of 26 mt is exceeded.

If the board were to provide nonresident DSR harvest opportunity, the department recommends including harvest opportunity for yelloweye rockfish. With limited sport allocation of DSR available in SEO after resident harvest is considered, conservative management provisions would be required including a nonresident bag and annual limit of 1 DSR (including yelloweye) for all Southeast waters, with a time closure reducing the fishing season. This variation would provide limited nonresident harvest opportunity without shifting harvest pressure onto DSR (non-yelloweye) species for which there is limited stock assessment information. If the season was reduced by 50% for nonresident anglers this is expected to keep the sport fishery within the sport allocation without exceeding the DSR (non-yelloweye) OFL in SEO, would create a conservative approach to nonresident harvest in Southeast Inside waters (SEI), and reduce regulatory complexity by having consistent regulations across all Southeast waters.

The estimated total mortality of DSR (nonresident and resident) without a seasonal closure is estimated to be approximately 153 mt in SEAK of which 58 mt represents SEO. With the nonresident season reduced by 50%, the total mortality of DSR (nonresident and resident) is

estimated to be approximately 91 mt in SEAK of which 34 mt represents SEO, that is expected to keep the sport fishery within the allocation established for SEO. If the board establishes nonresident harvest opportunity for DSR rockfish (including yelloweye) the department would use existing EO authority to adjust sport fishing regulations annually to stay within the annual sport allocation of DSR rockfish in SEO.

To comply with the Magnuson–Stevens Fishery Conservation and Management Act, sport fish management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). Preferential management provisions for Alaska residents may only be applied within State waters (generally 0–3nm from shore). Additional information is provided in proposal 105.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No. Portions of Southeast Alaska are within the Ketchikan and Juneau nonsubsistence areas.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined under 5 AAC 01.716(a) that bottomfish in portions of districts 2-10 and 12-15 are customarily and traditionally taken for subsistence uses.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has not established an amount of rockfish that are reasonably necessary for subsistence uses in Southeast Alaska.
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 208-1.--Estimated DSR mortality (metric tons) by angler type and area for regulations proposed by 208 and alternative options.

Proposal 208 - Annual limit of 1 DSR (non-yelloweye)			
	SEO	SEI	All SEAK
Nonresident DSR non-yelloweye	27 ^a	43	70
Resident DSR non-yelloweye	3	7	10
Total	30 ^a	50	80

Option 1: Annual limit of 1 DSR including yelloweye, no seasonal closure for nonresidents			
	SEO	SEI	All SEAK
Nonresident all DSR	47 ^b	78	125
Resident all DSR	11	18	28
Total	58 ^b	96	153

Option 2: Annual limit of 1 DSR including yelloweye, nonresident season length reduced by 50%			
	SEO	SEI	All SEAK
Nonresident all DSR	23	39	62
Resident all DSR	11	18	28
Total	34	57	91

^a Exceeds the Over Fishing Limit (OFL) of DSR (non-yelloweye) in SEO.

^b Exceeds the average sport allocation in SEO.

PROPOSAL 209 – 5 AAC 47.XXX. Pelagic rockfish delegation of authority and provisions for management.

PROPOSED BY: Sitka Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would establish a resident priority and add emergency order (EO) authority for the department to restrict nonresidents and residents differentially when managing pelagic rockfish. The department would be directed to restrict resident harvest only if the resident harvest exceeded 50% of the combined resident/nonresident pelagic rockfish harvest for 2 consecutive years.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow for a bag limit of 5 pelagic rockfish and a possession limit of ten in Southeast Alaska (SEAK) for all anglers, except for in the Sitka area (Central Southeast Outside Section, CSEO) where the bag limit for nonresidents is 3 fish and the possession limit is 6. In 2023 and 2024 the department used EO authority to reduce the bag limit in the Sitka area by 1 fish each for resident and nonresident anglers. The department does not have EO authority to manage the pelagic rockfish fishery by residency.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If using EO authority to restrict harvest for conservation reasons, the department would restrict nonresidents before residents unless the resident harvest had exceeded 50% of the total harvest for the 2 previous and consecutive years. Resident harvest would likely remain stable while nonresident harvest would decrease.

BACKGROUND: Southeast Alaska (SEAK) regulations for rockfish were separated by pelagic and nonpelagic rockfish groupings in 1994. Pelagic rockfish refers to the 6 species of rockfish that generally live in the middle of the water column in schools, close to rocky structure. These fish are moderately long-lived where most fish are in the 7 to 30-year old range. Pelagic rockfish are defined in regulation 5 AAC 75.995 (a)(47) as the dark rockfish (*S. ciliatus*), dusky rockfish (*S. variabilis*), widow rockfish (*S. entomelas*), yellowtail rockfish (*S. flavidus*), black rockfish (*S. melanops*) and the deacon rockfish (*S. diaconus*). All other species of the *Sebastes* genus are classified as nonpelagic.

When established in 1994, the regional regulations for pelagic rockfish were established with a bag and possession limit of 5 and 10 fish, respectively. In 2016 and 2017, to stabilize the increasing harvest of pelagic rockfish, the department restricted the CSEO area bag and possession limit to 3 and 6 respectively for all anglers by EO. The board codified pelagic rockfish regulations for CSEO in 2018 establishing a nonresident bag limit of 3 and possession limit of 6. The resident regulations returned to match the regional regulations of a bag limit of 5 and possession limit of 10. Due to continuing increase in harvest, in 2023 and 2024, pelagic rockfish harvest opportunity was again reduced by EO in the CSEO area to a bag and possession limit of 4 and 8 respectively for residents, and 2 and 4 respectively for nonresidents.

The sport harvest of pelagic rockfish has been on an increasing trend in SEAK and is assumed to be associated with increased angler interest and shifting patterns of effort as charter (guided) anglers have experienced restrictions on lingcod, Pacific halibut and king salmon and sought other harvest opportunities. Resident harvest of pelagic rockfish has been relatively stable (Figure 209-1) and resident anglers harvest an average of 27% (range of 13 - 45%, 1998 – 2023) of the pelagic rockfish in the region.

The delegation of authority for demersal shelf rockfish (5 AAC 47.065) includes provisions to implement management measures according to residency. Currently no similar authority exists for pelagic rockfish.

A similar proposal was brought to the board in 2018, but the scope was restricted to the CSEO area, rather than all of SEAK. This proposal failed to pass as the board elected to reduce nonresident bag and possession limits in CSEO through a different proposal.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocation of harvest opportunity between resident and nonresident anglers.

To comply with the Magnuson–Stevens Fishery Conservation and Management Act, sport fish management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). Preferential management provisions for Alaska residents may only be applied within State waters (generally 0–3nm from shore). Additional information is provided in proposal 105.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

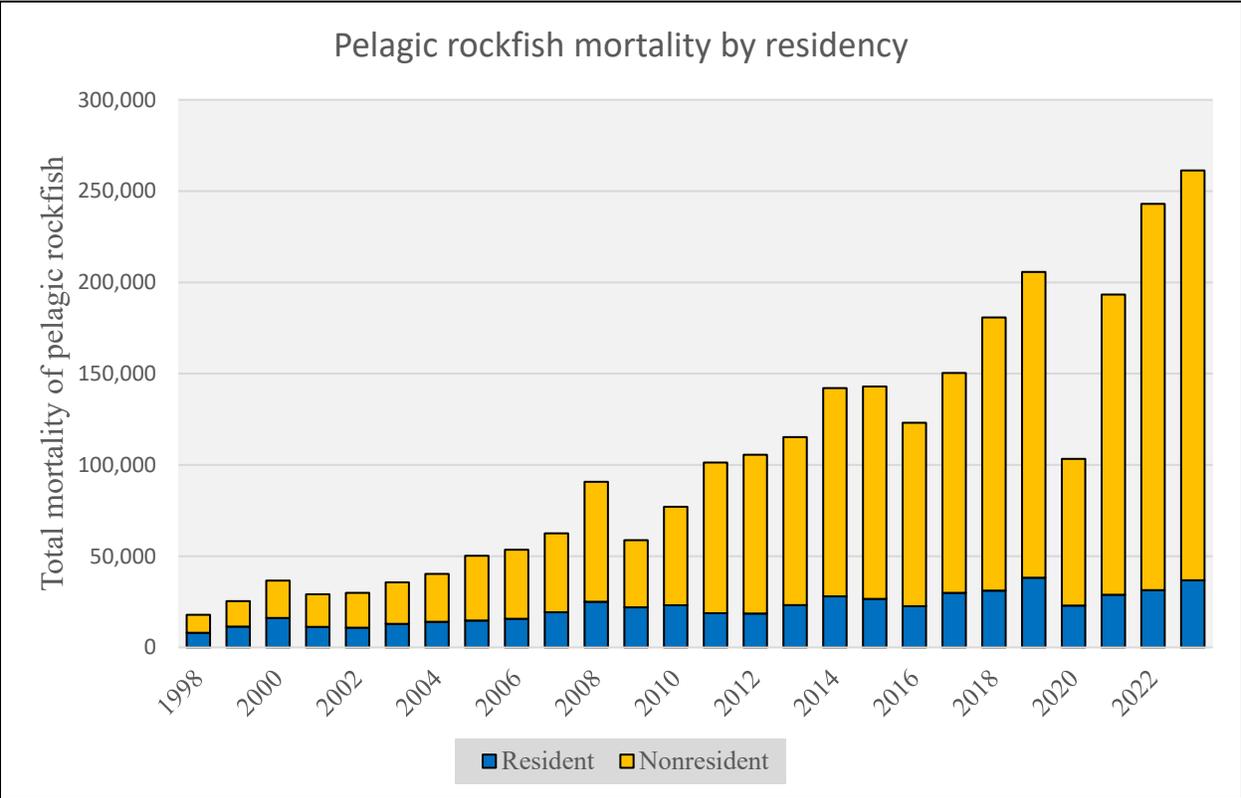


Figure 209-1.—Pelagic rockfish total mortality (numbers of fish) by residency in Southeast Alaska.

PROPOSAL 210 – 5 AAC 47.020. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would reduce the bag limit of pelagic rockfish from 5 to 3 and the possession limit from 10 to 6 for all anglers in Southeast Alaska (SEAK).

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow for a bag limit of 5 pelagic rockfish and a possession limit of ten in SEAK for all anglers, except for in the Sitka area (Central Southeast Outside, CSEO) where the bag limit for nonresidents is 3 fish and the possession limit is 6.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This will help stabilize the growing harvest of pelagic rockfish in the SEAK. This action is expected to reduce pelagic rockfish harvest by approximately 20%.

BACKGROUND: The sport harvest of pelagic rockfish has been on an increasing trend in SEAK and is assumed to be associated with increased angler interest and shifting patterns of effort as charter (guided) anglers have experienced restrictions on lingcod, Pacific halibut and king salmon and have sought other harvest opportunities. The harvest of pelagic rockfish has increased in SEAK despite recent action to reduce harvest opportunity in the Sitka area where the majority of pelagic rockfish have historically been harvested (Figure 210-1). Rockfish harvest in the vicinity of Prince of Wales Island and Ketchikan have continued to increase and are now nearing the levels of pelagic rockfish harvest observed in the Sitka area before management action was taken to reduce harvest.

There is limited stock assessment information for pelagic rockfish in SEAK and sustainable harvest levels are unknown. Pelagic rockfish are long-lived, late-maturing species that are susceptible to overharvest and localized depletion. Although there is limited stock assessment information, there is evidence of a slight but gradual decline in average length since 2006 in the Sitka area sport harvest, suggesting a change in the population structure that may be a result of harvest pressure.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The department is currently working to develop a stock assessment for black rockfish in SEAK as a part of the Statewide Rockfish Initiative to better inform management. The anticipated continued increase in harvest and the potential for overexploitation of pelagic rockfish warrants a precautionary management approach.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

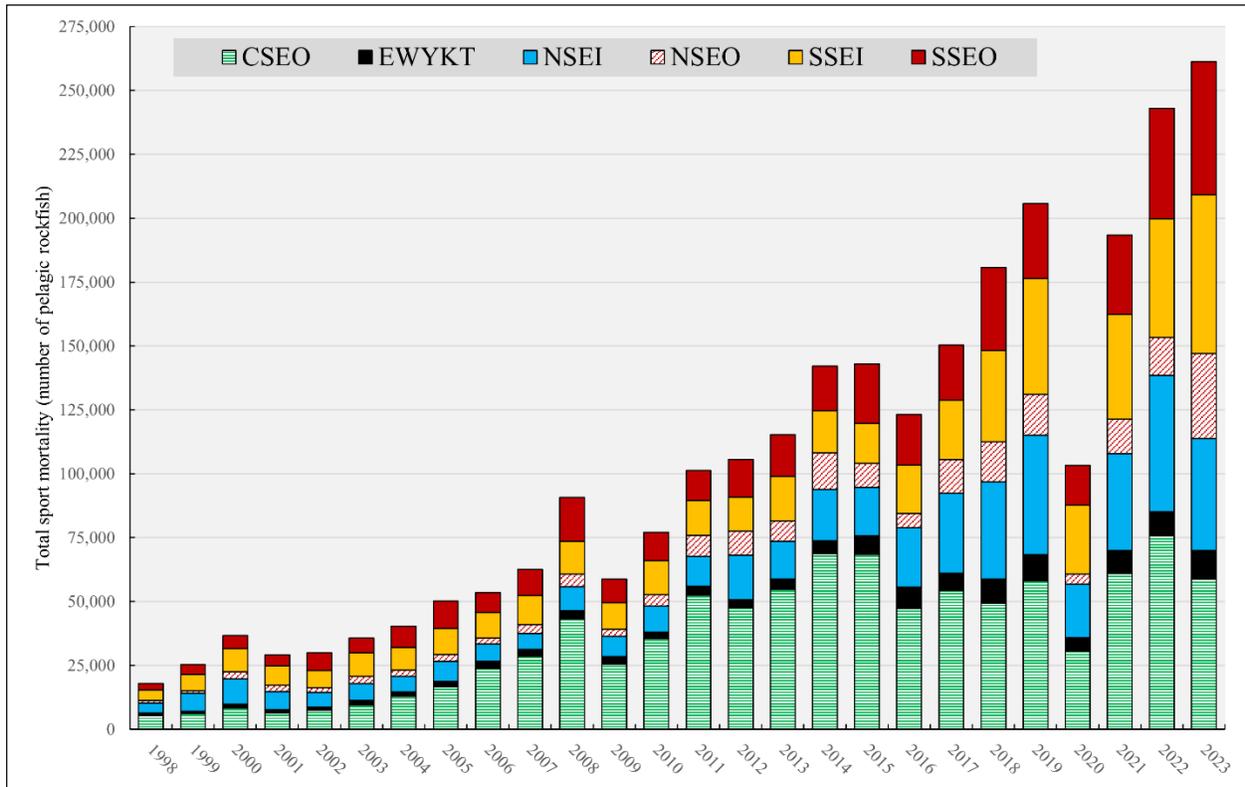


Figure 210-1.—Total pelagic rockfish mortality (numbers of fish) by the sport fishery by management area, including release mortality as estimated by the Howard et al. method.

Note: CSEO: Sitka area, EWYKT: Yakutat area, NSEI: Juneau and Haines/Skagway area, SSEI: Ketchikan and Petersburg/Wrangell area, SSEO: Prince of Wales area.

PROPOSAL 211 – 5 AAC 28.171. Rockfish possession and landing requirements for Eastern Gulf of Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would clarify regulations regarding fish ticket documentation of rockfish overages in the groundfish and halibut fisheries. The proposal would also add a demersal shelf rockfish (DSR) overage reporting requirement for the Eastern Gulf of Alaska (EGOA) salmon troll fishery.

WHAT ARE THE CURRENT REGULATIONS? State rockfish regulations in the EGOA require a Commercial Fisheries Entry Commission (CFEC) permit holder fishing for groundfish or halibut to retain, weigh, and report all rockfish and thornyhead rockfish caught. All rockfish and thornyhead rockfish in excess of allowable bycatch limits shall be reported as bycatch overage on a fish ticket. All proceeds from the sale of excess rockfish and thornyhead rockfish bycatch shall be surrendered to the state. Federal rockfish regulations require that the operator of a federally permitted catcher vessel using hook-and-line, pot, or jig gear in the exclusive economic zone (EEZ) of the Gulf of Alaska retain and land all rockfish including thornyhead rockfish caught while fishing for groundfish or halibut. Rockfish taken in federal waters must be reported on a fish ticket, and rockfish in excess of bycatch allowances must be reported as bycatch overage. Rockfish overage from federal waters may be retained for personal use or donated but cannot be sold or enter commerce. Currently, there are no regulations regarding rockfish possession and landing requirements in the salmon troll fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This clarifies that all rockfish bycatch overages may be retained for personal use or donation by CFEC permit holders fishing for groundfish or halibut. Current regulations only specify that rockfish overages may be sold but they do not explicitly state that overages may be retained for personal use or donation that has been standard practice despite not being in regulation. This would clarify regulations for processors, permit holders, managers, and enforcement.

Also, this proposal would establish that rockfish must be reported on a fish ticket and clarify the regulations regarding rockfish bycatch overages in the salmon troll fishery. At present, the salmon troll fishery does not have full retention requirements for any groundfish species and demersal shelf rockfish (DSR; yelloweye, quillback, canary, copper, tiger, China, and rosethorn) are the only rockfish species restricted to a bycatch allowance. However, because there are bycatch allowances for DSR species but no full retention requirements, regulations do not support that DSR bycatch overage may be retained for personal use or donation, and therefore must be discarded at sea or subject to law enforcement action if landed. This would improve consistency on how DSR bycatch overages are managed across the region and among fisheries and would assist groundfish staff in accounting for DSR bycatch in the salmon troll fishery by reducing rockfish discards at sea.

BACKGROUND: Most rockfish have a closed swim bladder and suffer embolism mortality when brought to the surface. Regulations have been developed to reduce the at-sea discard of rockfish due to their high post-release mortality. Full retention regulations were first adopted at the 2000 board meeting, requiring all rockfish caught in internal waters, and all demersal shelf rockfish (DSR) and black rockfish in state waters, to be weighed and reported on fish tickets. Full retention of DSR and black rockfish has been required in groundfish and halibut fisheries in federal waters

since 2005. Effective March 23, 2020, federal regulations require full retention of all rockfish including thornyheads caught while fishing for groundfish or halibut in federal waters. Effective September 25, 2022, state regulations require full retention of all rockfish including thornyheads caught while fishing for groundfish or halibut in state waters in Southeast Alaska.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

COMMITTEE OF THE WHOLE – GROUP 3: KING SALMON (32 PROPOSALS)

KING SALMON MANAGEMENT PLAN AND ALLOCATION (18 PROPOSALS)

PROPOSAL 108 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Southeast Alaska Guides Organization.

WHAT WOULD THE PROPOSAL DO? This would retain the existing structure of the *Southeast Alaska King Salmon Management Plan* (KSMP) but cap the inseason transfer of king salmon allocation from the troll fishery to the sport fishery at 5% of the sport/troll allocation for the year. The department would take inseason action to reduce harvest in the nonresident sport fishery if the sport fishery were projected to exceed 25% of the sport/troll allocation. A suite of more restrictive regulations for nonresident anglers, would be implemented, in waters not subject to wild stock conservation measures, if the 9-year rolling average of the sport fishery were to exceed 22% of the sport/troll allocation on consecutive years. The proposed reductions would be lifted when the 9-year rolling average harvest by the sport fishery returns to 20% of the sport/troll allocation or lower.

WHAT ARE THE CURRENT REGULATIONS? The KSMP prescribes bag, possession, and annual limits and other management provisions based on the annual allocation of king salmon to the sport fishery (Table 108-1). Management provisions are established at the beginning of the season and inseason action is not used to keep the sport fishery within allocation but may be implemented to prevent exceeding the Alaska all-gear catch limit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would retain the existing management provisions prescribed for each tier of the KSMP but limit the magnitude of an overage of allocation in the sport fishery. The department would continue to establish annual management provisions based on the allocation available to the sport fishery but if harvest in the sport fishery was projected to exceed 25% of the combined sport/troll allocation, inseason action would be taken to reduce harvest to within the 25% of the combined sport/troll allocation. Any unused allocation in the sport fishery would be transferred to the commercial troll fishery and conversely any overage in the sport fishery (not to exceed 25% of the combined sport/troll allocation) would be absorbed by the commercial troll fishery.

If the 9-year average sport harvest exceeds 22% of the combined sport/troll allocation for 2 consecutive years, then specific restrictions (Table 108-2) are to be implemented until the 9-year average sport harvest is 20% or less of the combined sport/troll allocation. The proposed changes affect nonresident anglers only, resident bag and possession limits would remain unchanged and the resident fishery would only be closed if it was necessary to meet obligations of the Pacific Salmon Treaty.

BACKGROUND: Each spring the Alaska all-gear catch limit is calculated in accordance with the terms and provisions of the Pacific Salmon Treaty (PST) and defines the number of treaty king salmon that may be harvested in Southeast Alaska (SEAK), with some exclusions for Alaska hatchery-produced king salmon harvest. The SEAK all-gear catch limit is then allocated domestically according to *Allocation of king salmon in the Southeast Alaska-Yakutat Area* (5 AAC

29.060). The KSMP prescribes bag, possession, annual limits, and other management provisions for resident and nonresident anglers according to the available allocation of king salmon to the sport fishery. Harvest opportunity prescribed by the KSMP generally increases as allocation to the sport fishery increases.

In 2022 the board adopted several modifications to the KSMP. A foundational element of the current plan is that stability is provided in the sport fishery by establishing sport fishing regulations at the beginning of the season and inseason management is not used to manage for the sport allocation. If the sport fishery is projected to go over allocation, the commercial troll fishery is reduced by that amount, conversely if the sport fishery is under allocation the available allocation is transferred to the commercial troll fishery. The management provisions within the KSMP are not designed to achieve the sport allocation each year but are expected to over harvest the allocation in low abundance years and under harvest the allocation in high abundance years. Over time and anticipating the same levels of historical effort and king salmon abundance, the sport fishery was expected to achieve approximately 20% of the combined sport/troll allocation.

The revisions made in 2022 also modified bag, possession, and annual limits for nonresident anglers by reducing opportunity in the upper abundance management tiers while increasing opportunity in the lowest management tiers. This compromise was designed to avoid the need to implement nonretention in the nonresident fishery during low abundance years while increasing the likelihood of unused sport allocation in high abundance years that could be transferred to the commercial troll fishery. A provision was added to the plan that provides a priority for resident anglers in that the resident fishery would not be closed unless necessary to meet obligations of the Pacific Salmon Treaty. The plan also contains a sunset provision where the plan will cease to exist on July 31, 2025. This provision was designed to allow the board to review the performance of the existing plan and its allocation sharing agreement and make any necessary adjustments during the 2025 Southeast Alaska Finfish and Shellfish meeting.

In 2023, the board took out-of-cycle action to update the KSMP due to changes adopted to the methods for setting the Alaska all-gear king salmon catch limit by the Pacific Salmon Commission (PSC). References to the winter troll CPUE were replaced with the commensurate allocation range for the sport fishery. In this way the KSMP is more resilient to changes to the PST as sport fish management action is based on the allocation available to the sport fishery and not the metric used to calculate the Alaska all-gear catch limit.

In the 3 seasons this management plan has been in place, the sport fishery was under allocation by 15,112 during 2022, over allocation by 17,090 in 2023, and over allocation by 13,351 (preliminary) in 2024. The cumulative sport overage (2022–2024) is 15,329 or 22.43% of the combined sport/troll allocation for this time period. The 9-year average (2016–2024) sport harvest is currently 19.97% of the combined sport/troll allocation.

A complicating factor and one reason for the larger than expected overage in the sport fishery in 2023 and 2024 is the harvest per unit effort observed in the sport fishery was higher than would be expected under the preseason catch limit as determined by the PSC. This suggests that the preseason indicator used by the PSC did not align with the actual abundance of king salmon observed in SEAK. Alaska fisheries are obligated to not exceed the catch limit as determined by the PST but the misalignment of preseason projected abundance and inseason observations complicates the management of the sport fishery because one of the largest variables in projecting sport harvest is the abundance of king salmon available for harvest. This is highlighted by the fact

that identical sport fishing regulations were implemented in 2022–2024 while no major changes in effort occurred. However, treaty harvest of king salmon ranged from 34,000 to 55,000 (Table 108-3).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. If the management regime described by this proposal had been in place during the last 3 years, the department would have taken inseason action to reduce the nonresident harvest opportunity during 2023 and 2024 seasons.

To comply with the Magnuson–Stevens Fishery Conservation and Management Act, sport fish management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). Preferential management provisions for Alaska residents may only be applied within State waters (generally 0–3nm from shore). Additional information is provided in proposal 105.

The *Allocation of king salmon in the Southeast Alaska-Yakutat Area* (5 AAC 29.060) includes a provision that unused allocation from any gear group may be transferred to the commercial troll fishery. The department recommends that this language be revised to allow the transfer of unused allocation among gear groups to be at the discretion of the Commissioner in order to maximize benefit for Alaska fisheries while meeting the obligations of the Pacific Salmon Treaty. Substitute language will be provided during the board meeting.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 108-1.—Resident and nonresident bag, possession and annual limits prescribed by the current Southeast Alaska King Salmon Management Plan.

Management tier	Sport allocation	Resident bag limit	Nonresident regulations (daily bag limit/annual limit)			
			Jan 1–June 30	July 1–7	July 8–15	July 16– Dec 31
Tier 7 (c)	>69,014	3	1/3	1/2	1/1	
Tier 6 (d)	55,421–69,014	3	1/3	1/2	1/1	
Tier 5 (e)	42,685–55,420	2	1/3	1/2	1/1	
Tier 4 (f)	34,303–42,684	2	1/3	1/2	1/1	
Tier 3 (g)	22,328–34,302	1	1/3	1/2	1/1	
Tier 2 (h)	19,381–22,327	1	1/3	1/1		
Tier 1 (i)	<19,381	TBD	TBD			

Note: Residents do not have an annual bag limit, TBD denotes to be determined.

Table 108-2.—Restrictive regulations established by Proposal 108 if the 9-year rolling average sport harvest exceeds 22% of the combined sport/troll allocation for 2 consecutive years.

Management tier	Sport allocation	Resident bag limit	Nonresident regulations (daily bag limit/annual limit)			
			Jan 1–June 30	July 1–7	July 8–15	July 16–Dec 31
Tier 7 (c)	>69,014	3	1/3	1/2	No retention	
Tier 6 (d)	55,421–69,014	3	1/3	1/2	No retention	
Tier 5 (e)	42,685–55,420	2	1/3	1/2	No retention	
Tier 4 (f)	34,303–42,684	2	1/3	1/2	No retention	
Tier 3 (g)	22,328–34,302	1	1/3	1/2	No retention	
Tier 2 (h)	19,381–22,327	1	1/3	1/1	No retention	
Tier 1 (i)	<19,381	TBD	TBD			

Note: Residents do not have an annual limit; TBD denotes to be determined.

Table 108-3.—Sport harvest and allocation of king salmon.

Year	Preseason catch limit	Troll+ sport allocation	Preseason sport allocation	Actual sport harvest	Sport deviation from allocation	Average sport (%) of sport/troll allocation	
1999	192,800	177,918	35,584	53,158	17,574	1999–2008	19%
2000	189,900	175,227	35,045	41,439	6,394		
2001	189,900	175,227	35,045	44,725	9,680		
2002	356,500	329,832	65,966	45,504	-20,462		
2003	366,100	338,741	67,748	49,239	-18,509		
2004	383,500	354,888	70,978	55,413	-15,565		
2005	416,400	385,419	77,084	63,330	-13,754		
2006	346,800	320,830	64,166	69,375	5,209		
2007	329,400	304,683	60,937	62,298	1,361		
2008	170,000	156,760	31,352	32,603	1,251		
2009	218,800	202,046	40,409	48,120	7,711	2009–2018	20.7%
2010	221,800	204,830	40,966	44,315	3,349		
2011	294,800	272,574	54,515	53,964	-551		
2012	266,800	246,590	49,318	37,722	-11,596		
2013	176,000	162,328	32,466	43,304	10,838		
2014	439,400	406,763	81,353	73,951	-7,402		
2015	237,000	218,936	43,787	65,174	21,387		
2016	355,600	328,997	65,799	59,442	-6,357		
2017	209,700	193,602	38,720	44,125	5,405		
2018	144,500	133,096	26,619	21,243	-5,376		
2019	140,323	129,220	25,844	24,496	-1,396	2019–2021 inseason management	18.1%
2020	205,165	189,393	37,879	30,561	-7,318		
2021	205,165	189,393	37,879	36,935	-944		
2022	266,585	246,391	49,278	34,166	-15,112	2022–2024 current KSMP	22.4%
2023	206,027	190,193	38,039	55,146	17,107		
2024	211,400	195,179	39,036	52,759	13,723		

PROPOSAL 109 –5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Jacqueline Foss.

WHAT WOULD THE PROPOSAL DO? This would direct the sport fishery to be managed inseason to achieve the annual sport allocation of king salmon. Residents will have a stable bag and possession limit of 2 king salmon at all allocation levels. Management provisions for nonresidents will be established at the department’s discretion to achieve the annual allocation but will be designed to achieve 70% of the harvest before July 1 and the remaining 30% of allocation to be harvested after July 1. The department will not close the resident fishery unless the commissioner determines that additional harvest reduction to the resident bag limit is necessary to comply with the Pacific Salmon Treaty.

WHAT ARE THE CURRENT REGULATIONS? The *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) prescribes bag, possession, annual limits and other management provisions based on the annual allocation of king salmon to the sport fishery (Table 108-1). Management provisions are established at the beginning of the season and inseason action is not used to keep the sport fishery within allocation but may be implemented to prevent exceeding the Alaska all-gear catch limit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This eliminates the allocation sharing between the sport and commercial troll fishery with each fishery managed to achieve its allocation. Under the provisions of *Allocation of king salmon in Southeast Alaska-Yakutat Area* (5 AAC 29.060) any unused allocation in the sport fishery could be transferred to the commercial troll fishery. Resident anglers would always have a bag and possession limit of 2 king salmon and would not be closed unless required to meet obligations of the Pacific Salmon Treaty (PST). Management provisions for nonresidents will be adjusted throughout the season to achieve the sport allocation by either increasing or decreasing harvest opportunity. At low levels of allocation, it is likely that periods of nonretention for nonresidents would be required to keep the sport fishery within allocation. At high levels of abundance the sport fishery may not be able to harvest its allocation.

BACKGROUND: Proposals 108–121 recommend actions to modify the *Southeast Alaska King Salmon Management Plan*, additional background is provided in proposal 108.

The *Southeast Alaska King Salmon Management Plan*, as revised in 2022, was designed to provide stability to the sport fishery, anticipating that there would be years when harvest of king salmon would exceed the 20% sport allocation and years when harvest in the sport fishery would not achieve the 20%. The commercial troll fishery would either absorb an overage by the sport fishery or benefit from an underage in the sport fishery. This proposal returns to a management regime where changes are made in season to achieve the sport fish allocation but provides stable sport fishing regulations for resident anglers.

The PST was amended in 2019 for the next 10-year period (2019–2028). One significant change in the PST was the inclusion of a “payback provision” that requires any overage of the Alaska all-gear catch limit to be paid back the following year. With this change the board directed the department to use inseason management to achieve but not exceed the allocation of king salmon for the sport fishery. Prior to implementation of the payback provision, the preceding iteration of *Southeast Alaska King Salmon Management Plan* did not use inseason changes for allocative purposes. Inseason management was used in the 2019–2021 seasons and required changing

regulation during the season. Inseason actions resulted in 2 changes in 2019 (including a nonretention period), 4 changes in 2020 (progressively increasing opportunity), and 2 changes in 2021 (progressively decreasing opportunity including a nonretention period).

King salmon harvest per unit effort in the sport fishery is highest in June correlating with the peak abundance of king salmon in Southeast Alaska waters. Historically the sport fishery harvests approximately 60–70% of the annual harvest by June 30 each year.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The department has the tools to manage the nonresident fishery inseason while maintaining static resident bag and possession limits. The use of inseason management to achieve an allocation target requires the department to continually project the end of season harvest and adjust regulations accordingly. This creates a regulatory environment where frequent changes to sport fishing regulations may be required including sudden nonretention periods. Harvest projections are subject to statistical variance requiring the department to manage conservatively to avoid exceeding the annual allocation.

During years of low abundance, the nonresident fishery is likely to require periods of nonretention to keep the sport fishery within allocation. In years of high abundance, the nonresident bag limit may exceed the 2 fish static bag limit established for resident anglers. Even with increased bag and possession limits the sport fishery may not be able to achieve its allocation in years of highest abundance.

To comply with the Magnuson–Stevens Fishery Conservation and Management Act, sport fish management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). Preferential management provisions for Alaska residents may only be applied within State waters (generally 0–3nm from shore). Additional information is provided in proposal 105.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 110 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Alaska Trollers Association.

WHAT WOULD THE PROPOSAL DO? This would direct the department to manage the king salmon sport fishery to achieve the annual sport allocation of king salmon and utilize inseason changes when necessary to do so. The structure of the management plan remains unchanged and sport fishing bag, possession, and annual limits are established at the beginning of the season according to the allocation of king salmon available to the sport fishery.

WHAT ARE THE CURRENT REGULATIONS? The *Southeast Alaska King Salmon Management Plan* prescribes bag, possession, and annual limits and other management provisions based on the annual allocation of king salmon to the sport fishery (Table 108-1). Management provisions are established at the beginning of the season and inseason action is not used to keep the sport fishery within allocation but may be implemented to prevent exceeding the Alaska all-gear catch limit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Management provisions would be established each spring according to the allocation available to the sport fishery. Inseason management actions would then be used to keep the sport fishery from exceeding its allocation. There are no provisions to increase harvest opportunity if sport harvest is projected to be less than the sport allocation. Any unused allocation in the sport fishery would be transferred to the commercial troll fishery. No change has been made to king salmon allocation among gear groups as determined by the *Allocation of king salmon in the Southeastern Alaska-Yakutat* (5 AAC 29.060). The priority for resident anglers is maintained and the sunset clause removed. However, the resident sport fishery would be closed inseason if the sport allocation is attained.

BACKGROUND: Proposals 108–121 recommend actions to modify the *Southeast Alaska King Salmon Management Plan*, additional background is provided in Proposals 108 and 109.

This proposal is distinguished from the preceding proposals by directing the department to use inseason management to keep the sport fishery within its annual allocation however no change has been proposed to sport fish management provisions for each management tier. During times of low allocation, the existing management prescriptions are too aggressive and are likely to exceed the sport allocation early in the season. During times of high abundance there are no provisions to increase sport harvest opportunity once they are established at the beginning of the season, and the sport fishery is expected to not achieve the allocation.

As inseason data become available from the Southeast Alaska marine creel program, the first reliable inseason projection of sport king salmon harvest becomes available in mid-June. This corresponds to the period of highest catch rates in the sport fishery. This creates urgency for the department to respond to the observed sport harvest before the majority of the fishery is complete. The later in the season the department takes action to modify sport fishing regulations the more extreme the action needs to be to achieve the same savings of sport harvest.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. If adopted, the department recommends reducing opportunity in the low abundance management tiers as the current management provisions are expected to quickly harvest the sport allocation and require nonretention periods. Without modifications to the management provisions in the high

abundance management tiers, the sport fishery is not expected to achieve the annual allocation. If adopted, the department requests clarification on the use of inseason adjustments and if they may be made to increase opportunity to achieve the sport allocation.

To comply with the Magnuson–Stevens Fishery Conservation and Management Act, sport fish management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). Preferential management provisions for Alaska residents may only be applied within State waters (generally 0–3nm from shore). Additional information is provided in proposal 105.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 111 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan. and 5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska-Yakutat Area.

PROPOSED BY: Steve Merritt.

WHAT WOULD THE PROPOSAL DO? This would require the sport fishery to be managed in season to a percentage of the combined sport/troll allocation. It increases allocation by 2% in times of low allocation for management tiers (g),(h), and (i), by 1% in management tier f, and decreases by 2% in times of high allocation for management tiers (c) and (d). Bag limits for all anglers remain unchanged and annual limits for nonresidents are to be determined at the board meeting with input from the department and sport anglers. Nonresident annual limits would be capped at 4 fish annually.

WHAT ARE THE CURRENT REGULATIONS? The *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) prescribes bag, possession, annual limits and other management provisions based on the annual allocation of king salmon to the sport fishery (Table 108-1). Management provisions are established at the beginning of the season and inseason action is not used to keep the sport fishery within allocation but may be implemented to prevent exceeding the Alaska all-gear catch limit. The SEAK all-gear catch limit is allocated among gear groups according to *Allocation of king salmon in the Southeast Alaska-Yakutat Area* (5 AAC 29.060) After king salmon allocated to commercial net fisheries is subtracted from the all-gear catch limit, the remainder is allocated 80% to the commercial troll fishery and 20% to the sport fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The allocation of king salmon between sport and commercial troll fisheries would be modified to provide the sport fishery increased allocation during time of low abundance and decreased allocation during times of high abundance. Management provisions would continue to be established each spring according to the allocation available to the sport fishery although nonresident annual limits are yet to be determined. Inseason management actions would then be used to keep the sport fishery from exceeding the annual allocation. There are no provisions to increase harvest opportunity if sport harvest is projected to be less than the sport allocation. Any unused allocation in the sport fishery would be transferred to the commercial troll fishery. The priority for resident anglers is maintained.

The increase in sport allocation as result of this proposal equates to an increase within management tiers (g) and (h) of approximately 2,500 king salmon. In management tier (f) an increase of approximately 2,000 king salmon. In management tiers (d) and (c) sport allocation would be reduced by approximately 3,500 king salmon. Despite the increase in allocation under tiers (f), (g), (h), and (i), the nonresident sport fishery is likely to require periods of nonretention in tier (h) and (i) even with a bag limit of 1 and an annual limit of 1.

BACKGROUND: Proposals 108–121 recommend actions to modify the *Southeast Alaska King Salmon Management Plan*, additional background is provided in proposal 108 and 109.

This proposal is distinguished from the preceding proposals by adjusting the sport/troll allocation split of the Alaska all-gear catch limit on a sliding scale. Similar to Proposals 109 and 110 the department would then manage the sport fishery in season to not exceed the revised annual sport allocation. The proposal allows the opportunity to adjust nonresident annual limits that would be expected to keep the sport fishery within allocation on an annual basis. Annual limits for

nonresidents would need to be reduced in low allocation management tiers and increased in high allocation management tiers. In the current king salmon management plan nonresident annual limits range from 1 to 3 king salmon.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. If adopted, nonresident annual limits will need to be established. When designating annual limits for nonresidents in the high abundance management tiers, a maximum annual limit of 4 fish is unlikely to achieve the sport allocation.

To comply with the Magnuson–Stevens Fishery Conservation and Management Act, sport fish management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). Preferential management provisions for Alaska residents may only be applied within State waters (generally 0–3nm from shore). Additional information is provided in proposal 105.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 112 – 5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska-Yakutat Area. and 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Tad Fujioka.

WHAT WOULD THE PROPOSAL DO? King salmon bag, possession, and annual limits for nonresidents would be established 1 year in advance of the season and inseason management would not be used to keep the sport fishery within allocation. When developing the management provisions for nonresidents the department will consider the previous 4 years harvest, the current year projected harvest and the projected harvest in the year following to select management provisions that could be expected to achieve a 6-year average sport allocation of 20% of the combined sport/troll allocation.

WHAT ARE THE CURRENT REGULATIONS? The *Southeast Alaska King Salmon Management Plan* (KSMP) prescribes bag, possession, and annual limits and other management provisions based on the annual allocation of king salmon to the sport fishery (Table 108-1). Management provisions are established at the beginning of the season and inseason action is not used to keep the sport fishery within allocation but may be implemented to prevent exceeding the Alaska all-gear catch limit. The SEAK all-gear catch limit is allocated among gear groups according to *Allocation of king salmon in the Southeast Alaska-Yakutat Area* (5 AAC 29.060). After king salmon allocated to commercial net fisheries is subtracted from the all-gear catch limit, the remainder is allocated 80% to the commercial troll fishery and 20% to the sport fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Management provisions for the nonresident sport fishery would be announced 1 year in advance of the season. The department would select management provisions for nonresident anglers that could be expected to achieve the sport allocation over a 6-year average (4 prior years, current year and the year following). Management provisions for resident anglers would be established following the guidance in the current KSMP based on the sport allocation for that season. With the exception of implementing closures for conservation purposes or to prevent exceeding the all-gear catch limit, there would be no inseason management actions.

The exchange of allocation between sport and commercial troll fisheries would continue to be necessary. If the sport fishery was over or under allocation in the current year the commercial troll fishery would absorb the overage or receive the opportunity to harvest the underage. This would be required in order to avoid exceeding the Alaska all-gear catch limit on an annual basis.

This management regime would require the department to project sport harvest under a variety of management scenarios for the current year and the following year, increasing the potential for management error associated with projecting harvest over multiple years. An unexpected overage in allocation in consecutive years (such as 2023 and 2024) may require prolonged nonretention periods or closed seasons to rebalance to the average allocation target of 20% of the combined sport/troll allocation.

BACKGROUND: Proposals 108–121 recommend actions to modify the *Southeast Alaska King Salmon Management Plan*, additional background is provided in proposals 108 and 109.

When producing the preseason coastwide abundance index, the Chinook Technical Committee of the Pacific Salmon Commission also produces a 1 year out forecast.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. The SEAK allowable catch limit is derived by the Pacific Salmon Commission Chinook model based on agency forecasts and historical data from stocks coastwide, and generally do not accurately reflect preseason abundance. The risk of model error increases for the 1 year out forecast and may increase the potential to misalign sport harvest with the available allocation for that year. If a large magnitude overage occurred in 1 year it may require prolonged periods of nonretention or closed seasons to rebalance the allocation target.

To comply with the Magnuson–Stevens Fishery Conservation and Management Act, sport fish management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). Preferential management provisions for Alaska residents may only be applied within State waters (generally 0–3nm from shore). Additional information is provided in proposal 105.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 113 – 5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska-Yakutat Area. and 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Jeff Wedekind.

WHAT WOULD THE PROPOSAL DO? This would maintain the management provisions of the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) but increase the sport allocation prescribed by the *Allocation of king salmon in the Southeast and Yakutat area* (5 AAC 29.060) from 20% to 25%.

WHAT ARE THE CURRENT REGULATIONS? The *Southeast Alaska King Salmon Management Plan* prescribes bag, possession, and annual limits and other management provisions based on the annual allocation of king salmon to the sport fishery (Table 108-1). Management provisions are established at the beginning of the season and inseason action is not used to keep the sport fishery within allocation but may be implemented to prevent exceeding the Alaska all-gear catch limit. The SEAK all-gear catch limit is allocated among gear groups according to *Allocation of king salmon in the Southeast Alaska-Yakutat Area* (5 AAC 29.060). After king salmon allocated to commercial net fisheries is subtracted from the all-gear catch limit, the remainder is allocated 80% to the commercial troll fishery and 20% to the sport fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Sport fish management actions would continue to be implemented based on the available allocation to the sport fishery as prescribed by the current management plan. The sport fishery would now receive a greater allocation of king salmon with a reciprocal decrease in allocation for the commercial troll fishery. In the event of an overage or underage in allocation by the sport fishery the commercial troll fishery would continue to absorb any overage or receive the opportunity to harvest any underage. Inseason management would not be used to keep the sport fishery within allocation or increase opportunity to achieve the sport allocation. Due to the increase in allocation but no change to the management provisions, the sport fishery is less likely to exceed its allocation during low abundance and more likely to have an underage in allocation during high abundance.

BACKGROUND: Proposals 108–121 recommend actions to modify the *Southeast Alaska King Salmon Management Plan*, additional background is provided in proposal 108 and 109.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

To comply with the Magnuson–Stevens Fishery Conservation and Management Act, sport fish management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). Preferential management provisions for Alaska residents may only be applied within State waters (generally 0–3nm from shore). Additional information is provided in proposal 105.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 114 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Steve Merritt.

WHAT WOULD THE PROPOSAL DO? This modifies the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) by reducing harvest opportunity for nonresident anglers during years of lower allocation, prescribed within management tiers (f) (g) and (h). Management tier (i) is removed.

WHAT ARE THE CURRENT REGULATIONS? The *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) prescribes bag, possession, annual limits and other management provisions based on the annual allocation of king salmon to the sport fishery (Table 108-1). Management provisions are established at the beginning of the season and inseason action is not used to keep the sport fishery within allocation but may be implemented to prevent exceeding the Alaska all-gear catch limit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Nonresident harvest opportunity is reduced during years of lower allocation in the sport fishery (Table 114-1). This is expected to reduce the frequency and magnitude of the sport fishery exceeding its annual allocation. Management provisions would continue to be established at the beginning of the season based on the available allocation to the sport fishery. Any unused allocation in the sport fishery would be transferred to the commercial troll fishery and conversely any overage in the sport fishery would be absorbed by the commercial troll fishery.

BACKGROUND: Proposals 108–121 recommend actions to modify the *Southeast Alaska King Salmon Management Plan*, additional background is provided in Proposals 108 and 109.

The current KSMP is designed to achieve the sport allocation on average and is expected to over harvest the allocation in low abundance years and under harvest allocation in high abundance years. This proposal decreases the frequency and magnitude of exceeding the sport allocation in low abundance years by reducing nonresident harvest opportunity.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

To comply with the Magnuson–Stevens Fishery Conservation and Management Act, sport fish management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). Preferential management provisions for Alaska residents may only be applied within State waters (generally 0–3nm from shore). Additional information is provided in proposal 105.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 114-1.–Resident and nonresident bag, possession and annual limits established by Proposal 114.

<u>Management tier</u>	<u>Sport allocation</u>	<u>Resident bag limit</u>	<u>Nonresident regulations (daily bag limit/annual limit)</u>			
			<u>Jan 1–June 30</u>	<u>July 1–7</u>	<u>July 8–15</u>	<u>July 16–Dec 31</u>
Tier 7 (c)	>69,014	3	1/3	1/2		1/1
Tier 6 (d)	55,421–69,014	3	1/3	1/2		1/1
Tier 5 (e)	42,685–55,420	2	1/3	1/2		1/1
Tier 4 (f)	34,303–42,684	2	1/3	1/2		1/1
Tier 3 (g)	22,328–34,302	1	1/2		1/1	
Tier 2 (h)	< 22,327	1	1/1			

Note: Residents do not have an annual limit.

PROPOSAL 115– 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Cody Cowan.

WHAT WOULD THE PROPOSAL DO? This proposal would modify the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) by establishing a nonresident annual limit of 1 fish at all times and during all levels of allocation.

WHAT ARE THE CURRENT REGULATIONS? The *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) prescribes bag, possession, annual limits and other management provisions based on the annual allocation of king salmon to the sport fishery (Table 108-1). Management provisions are established at the beginning of the season and inseason action is not used to keep the sport fishery within allocation but may be implemented to prevent exceeding the Alaska all-gear catch limit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? A 1 fish annual limit would reduce nonresident harvest opportunity in all management tiers. Without other modifications to the management plan the sport fishery is expected to be under its allocation in all but the lowest management tiers. This would increase the magnitude and frequency in which unused allocation in the sport fishery is transferred to the commercial troll fishery. Management provisions would continue to be established at the beginning of the season based on the available allocation to the sport fishery.

BACKGROUND: Proposals 108–121 recommend actions to modify the *Southeast Alaska King Salmon Management Plan* (KSMP), additional background is provided in Proposals 108 and 109.

The current KSMP is designed to achieve the sport allocation on average and is expected to over harvest the allocation in low abundance years and under harvest allocation in high abundance years. This proposal decreases the frequency and magnitude of exceeding the sport allocation in low abundance years but also decreases harvest in high abundance years when the sport fishery typically does not harvest its allocation.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Without additional modifications, the sport allocation as determined by the *Allocation of king salmon in the Southeast Alaska and Yakutat area* (5 AAC 29.060) is unlikely to be achieved on average.

To comply with the Magnuson–Stevens Fishery Conservation and Management Act, sport fish management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). Preferential management provisions for Alaska residents may only be applied within State waters (generally 0–3nm from shore). Additional information is provided in proposal 105.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 116 and 117 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Juneau Douglas Fish and Game Advisory Committee, Territorial Sportsman Inc, and Alaska Trollers Association.

WHAT WOULD THE PROPOSAL DO? These would reduce the nonresident annual limit for king salmon to 2 fish prior to July 1 and 1 fish for the remainder of the year under all levels of allocation.

WHAT ARE THE CURRENT REGULATIONS? The *Southeast Alaska King Salmon Management Plan* (KSMP) prescribes bag, possession, and annual limits and other management provisions based on the annual allocation of king salmon to the sport fishery (Table 108-1). Management provisions are established at the beginning of the season and inseason action is not used to keep the sport fishery within allocation but may be implemented to prevent exceeding the Alaska all-gear catch limit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Nonresident harvest opportunity is reduced across all management tiers. This is expected to reduce the frequency and magnitude of the sport fishery exceeding its annual allocation. Management provisions would continue to be established at the beginning of the season based on the available allocation to the sport fishery. Any unused allocation in the sport fishery would be transferred to the commercial troll fishery and conversely any overage in the sport fishery would be absorbed by the commercial troll fishery.

BACKGROUND: Proposals 108–121 recommend actions to modify the *Southeast Alaska King Salmon Management Plan*, additional background is provided in Proposals 108 and 109. Modifications proposed by proposal 116 and proposal 117 are identical.

The current KSMP establishes a nonresident annual limit of 3 fish from January 1 through June 30 at all levels of allocation. This proposal would reduce this to an annual limit of 2 fish from January 1 through June 30. Depending on the allocation available to the sport fishery, in the current KSMP, the nonresident annual limit declines across the remainder of the season after June 30 (Table 108-1). This proposal establishes a nonresident annual limit of 1 fish from July 1 through December 31, at all levels of allocation.

The effect of this proposal on sport harvest is expected to vary depending on the abundance of king salmon, with the largest reduction in harvest occurring in the management tiers with the highest allocation.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Under these revised management provisions, nonresident sport harvest opportunity is reduced across all management tiers. The sport fishery would continue to be expected to overharvest its allocation in years of low allocation and fall short of its allocation in years of high allocation. However, the expected frequency and magnitude of an overage in sport allocation is decreased while increasing the likelihood that unused allocation is transferred to the commercial troll fishery. There is a higher likelihood that sport harvest of king salmon will average to 20% or less of the combined sport/troll allocation.

To comply with the Magnuson–Stevens Fishery Conservation and Management Act, sport fish management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). Preferential management provisions for Alaska residents may only be applied within State waters (generally 0–3nm from shore). Additional information is provided in proposal 105.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 118 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Ketchikan Indian Community.

WHAT WOULD THE PROPOSAL DO? The nonresident annual limit will not exceed 3 king salmon. King salmon harvested by nonresidents in terminal harvest areas will not count toward their annual limit.

WHAT ARE THE CURRENT REGULATIONS? The *Southeast Alaska King Salmon Management Plan* (KSMP) prescribes bag, possession, and annual limits and other management provisions based on the annual allocation of king salmon to the sport fishery (Table 108-1). Nonresident annual limits range from 3 to 1. The management plan contains a provision that allows the department to remove the nonresident annual limit in terminal harvest areas.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would not change the current management provisions of the KSMP. Nonresident annual limits prescribed by the current management plan never exceed 3 fish. The existing plan also includes a provision that allows the department to remove the nonresident annual limit in terminal harvest areas.

BACKGROUND: Proposals 108–121 recommend actions to modify the *Southeast Alaska King Salmon Management Plan*, additional background is provided in Proposals 108 and 109.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal between resident and nonresident sport anglers. This proposal would have no change to the current management regime and resultant opportunity and harvest levels.

To comply with the Magnuson–Stevens Fishery Conservation and Management Act, sport fish management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). Preferential management provisions for Alaska residents may only be applied within State waters (generally 0–3nm from shore). Additional information is provided in proposal 105.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 119 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Ketchikan Indian Community

WHAT WOULD THE PROPOSAL DO? This would prohibit retention of king salmon by nonresidents in the Southeast Alaska saltwater sport fishery for 2 days a week, not to coincide with days that there are halibut closures.

WHAT ARE THE CURRENT REGULATIONS? The *Southeast Alaska King Salmon Management Plan* (KSMP) prescribes bag, possession, and annual limits and other management provisions based on the annual allocation of king salmon to the sport fishery (Table 108-1). Fishing for king salmon is open year-round but the department has issued annual emergency orders to prohibit retention of king salmon in select areas and times to protect Alaska wild stock king salmon as prescribed by action plans for king salmon stocks of concern.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? King salmon harvest by nonresidents would be reduced at all allocation levels. While this action would prohibit nonresident retention of king salmon for 29% of the year, it is likely that some harvest pressure would be shifted to open days of king retention and the observed reduction in harvest is expected to be less than 29%.

BACKGROUND: Proposals 108–121 recommend actions to modify the KSMP, additional background is provided in Proposals 108 and 109.

Pacific halibut are managed by the National Marine Fisheries Service and halibut management measures for charter anglers are adopted on an annual basis. In Southeast Alaska during 2024, halibut closures occurred in area 2C (South and East of Cape Spencer) on Fridays from July 19 through September 13 for charter anglers. In area 3A (North and West of Cape Spencer), charter anglers may not retain halibut on Wednesdays for the entire season. Halibut management measures are expected to change on an annual basis.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocation of harvest opportunity between resident and nonresident sport anglers. Due to the expected reduction in sport harvest, there is a higher likelihood that the sport harvest of king salmon will average to 20% or less of the combined sport/troll allocation. Any unused allocation in the sport fishery would continue to be transferred to the commercial troll fishery, likely resulting in no net reduction in king salmon harvest in the region. Partial week closures increase regulatory complexity.

To comply with the Magnuson–Stevens Fishery Conservation and Management Act, sport fish management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). If adopted, the 2 day per week closure would also apply to residents when fishing in the EEZ. Additional information is provided in proposal 105.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 120 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Alaska Trollers Association.

WHAT WOULD THE PROPOSAL DO? This would close the nonresident sport fishery for king salmon on weekends, effective January 1, 2026.

WHAT ARE THE CURRENT REGULATIONS? The *Southeast Alaska King Salmon Management Plan* (KSMP) prescribes bag, possession, and annual limits and other management provisions based on the annual allocation of king salmon to the sport fishery (Table 108-1). Fishing for king salmon is open year-round but the department has issued annual emergency orders to prohibit retention of king salmon in select areas and times to protect Alaska wild stock king salmon as prescribed by action plans for king salmon stocks of concern.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? King salmon harvest by nonresidents would be reduced at all allocation levels. While this action would prohibit nonresident retention of king salmon for 29% of the year, it is likely that some harvest pressure would be shifted to weekdays and the observed reduction in harvest is expected to be less than 29%.

BACKGROUND: Proposals 108–121 recommend actions to modify the KSMP, additional background is provided in Proposals 108 and 109.

This proposal is distinguished from proposal 119 by specifying the 2-day closure will occur on weekends and is not linked to closures for halibut.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocation of harvest opportunity between resident and nonresident sport anglers. Due to the expected reduction in sport harvest, there is a higher likelihood that the sport harvest of king salmon will average to 20% or less of the combined sport/troll allocation. Any unused allocation in the sport fishery would continue to be transferred to the commercial troll fishery. Partial week closures increase regulatory complexity.

To comply with the Magnuson–Stevens Fishery Conservation and Management Act, sport fish management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). If adopted, the 2 day per week closure would also apply to residents when fishing in the EEZ. Additional information is provided in proposal 105.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 121 – 5 AAC 47.055 Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would extend the current *Southeast Alaska King Salmon Management Plan* (KSMP) through July 31, 2028.

WHAT ARE THE CURRENT REGULATIONS? The KSMP prescribes bag, possession, and annual limits and other management provisions based on the annual allocation of king salmon to the sport fishery (Table 108-1). A sunset clause in the management plan is set to expire July 31, 2025 after which there will be no provisions for management of the Southeast Alaska king salmon sport fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The current management plan would remain in effect until July 31, 2028, aligning with the next regularly scheduled Southeast Alaska and Yakutat Finfish and Shellfish Board of Fisheries meeting.

BACKGROUND: The sunset clause was included within the revisions to the management plan adopted by the board in 2022. The sunset clause was designed to allow the board to review the performance of the existing plan and its allocation sharing agreement between sport and commercial troll fisheries and make changes as necessary.

Additional background information and performance of the management plan (Table 108-3) is provided in Proposal 108.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. It is the department's intent to bring this issue to the board's attention that without action the current management plan will expire July 31, 2025. It is at the board's discretion to extend or remove the sunset date or make other modifications to the KSMP.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 104 – 5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska-Yakutat Area. and 5 AAC 01.720. Lawful gear and gear specifications.

PROPOSED BY: Southeast Alaska Subsistence Regional Advisory Council.

WHAT WOULD THE PROPOSAL DO? This would create a subsistence marine fishery for king salmon with a limit of at least 5,000 Treaty king salmon.

WHAT ARE THE CURRENT REGULATIONS? Subsistence salmon fishing is limited to residents of Alaska and to areas with a positive customary and traditional (C&T) use finding. There is a patchwork of positive C&T findings throughout Southeast Alaska (Figure 104-1), and most findings are for salmon, generally, and not specific to any 1 species of salmon. Hook and line gear is not allowed in subsistence salmon fisheries in Southeast Alaska, with the exception for sockeye salmon in the Redoubt Bay subsistence fishery. Alaska's all-gear catch limit is allocated among commercial purse seine, drift gillnet, set gillnet, troll, and sport fisheries. The commercial net gear (seine, drift gillnet, and set gillnet) allocation is allocated first, and the remaining allocation is divided between the sport and commercial troll. A permit is required to subsistence fish, and harvest conditions are established by regulation and terms of the permit. Up to 2 incidentally harvested king salmon may be retained while harvesting salmon under subsistence or personal use regulations. Hook and line gear is not allowed, with the exception for sockeye salmon in the Redoubt Bay subsistence fishery. Personal use fisheries may be conducted on hatchery-produced king salmon in hatchery terminal harvest areas with possession limits varying by hatchery management plan.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?

Implementation of this new fishery would be contingent on approval by the Pacific Salmon Commission (PSC) under the terms of the Pacific Salmon Treaty (PST). If approved, there would be an additional king salmon fishery managed under subsistence regulations targeting treaty king salmon. Residents of Alaska would have an additional opportunity to harvest king salmon in marine waters with a C&T finding for salmon and resident sport harvest may be shifted into the subsistence fishery in these areas. Complexity of enforcing sport and subsistence fisheries would increase. There would be less treaty king salmon available for sport and troll fisheries. Resident king salmon harvest in the sport fishery may decrease. The subsistence fishery would need to be intensely monitored similar to sport and commercial fisheries to account for harvest and sampled to accurately account for Treaty king salmon. It is unlikely that the addition of directed subsistence fisheries would achieve the lower extent of amounts reasonably necessary for subsistence (ANS) in those areas where ANS is currently not being achieved. Resource, management and enforcement issues would vary depending on the harvest limits, seasons, and areas open to fishing. Currently, king salmon abundance is low and a large portion of the king salmon stocks in Southeast are Stocks of Management Concern.

BACKGROUND: Residents of Southeast Alaska procure salmon through subsistence, sport, and personal use fishing and from salmon retained as personal use from commercial harvest. The board made customary and traditional use determinations for salmon in portions of Districts 1 through 15 (Figure 104-1). Most of these were originally made in 1989 and not effective until 1994, and almost all of them are for salmon generally. There is a positive finding for salmon, other than sockeye salmon, in a portion of District 13. The board established ANS ranges for salmon based on districts and sections in 2006. There are large areas around the communities of Ketchikan and

Juneau that are designated nonsubsistence areas (Figure 104-1); subsistence fishing is not authorized in these areas.

There is a long history of customary and traditional use of king salmon in Southeast Alaska. King salmon were traditionally harvested at spawning streams with traps, weirs, gaffs, and spears, as well as in open water by trolling or mooching. Directed subsistence fisheries for king and coho salmon have not been allowed since 1972, except in the Yakutat area and in the Chilkat River adjacent to Klukwan (allowed until 1989). Still, king salmon are an important component of salmon harvests for home use in most Southeast communities and are harvested through a variety of methods, based on location, regulations, and efficiency. According to household harvest surveys (excluding the communities of Juneau and Ketchikan), a small percentage of the king salmon harvest in Southeast Alaska is done under subsistence and personal use regulations. About a quarter of the king salmon harvest for noncommercial uses is derived from commercial harvests claimed as personal use, while the majority is taken under sport fishing regulations. Table 104-1 shows the Southeast Alaska king salmon subsistence, sport, and personal use harvests by Alaska residents in the various fisheries.

King salmon harvest in Southeast Alaska is subject to the terms of the PST. Each year, the preseason all-gear allowable catch of king salmon is determined by the PSC that is then allocated among the commercial and sport gear groups according to regulation (Table 105-2). The fisheries are strictly managed to not exceed Alaska's all-gear catch limit.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. The department **OPPOSES** this proposal due to the inherent management complexity and the requirements to comply with the PST. The department does not have the tools in place to sample subsistence harvest to determine stock composition for PST purposes or effectively monitor the inseason subsistence fishery harvest in order to avoid exceeding the Alaska all-gear catch limit. If adopted, this proposal would increase the complexity and enforcement of hook and line fishing regulations. A priority for resident anglers is provided in the hook and line sport fishery for king salmon within the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) through the use of increased bag and possession limits, a priority over nonresident anglers for allocation purposes, and more liberal gear (2 rods) in some situations.

The recent ten-year average resident sport harvest of king salmon is 16,711 and has ranged from 8,203 to 29,387 (Table 104-1). Annual resident sport harvest is largely dependent on the annual abundance of king salmon and the resulting allocation available to the sport fishery. Under this proposal the available allocation to the subsistence fishery may not be sufficient to provide subsistence harvest opportunity throughout the season each year and stay within that allocation to meet the terms of the PST. Resident sport harvest may be displaced into the subsistence harvest in those areas with positive C&T findings. Appropriate bag and possession limits that could be expected to achieve the subsistence allocation would need to be defined and potentially adjusted inseason to achieve the subsistence allocation. Subsistence hook and line regulations may not always align with sport fishing regulations.

Commercial and sport fisheries harvests are closely monitored and rigorously sampled to meet terms of the PST, terms and conditions of the Southeast Alaska Biological Opinion, and domestic allocations. Sampling programs require extensive personnel and are costly to implement. The department would need to develop and fund a program to sample the subsistence fishery. Commercial fisheries are closely monitored through fish tickets and processor reports and sport

fisheries are monitored through sport guide logbooks and creel surveys to determine harvest inseason. Subsistence fishery harvest and effort is monitored through required permits; those data would need to be available inseason to avoid exceeding the SEAK all-gear catch limit. This may require additional personnel and costs to more intensely monitor and sample the fishery. If adopted, the board would need to establish possession and annual limits.

Finally, this constitutes a new fishery under the terms and conditions of the PST that the PST defines as Southeast Alaska sport, troll, and net, and therefore requires approval by the PSC. Additionally, changes to the current allocation of Alaska's all-gear catch limit among user groups would need to be discussed within the PSC and demonstrated not to significantly change the stock or age composition and incidental mortality of the all-gear harvest. This fishery could not be implemented until these discussions occur and the fishery is approved by the PSC.

To comply with the Magnuson–Stevens Fishery Conservation and Management Act, management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). To be in compliance, this fishery would need to be restricted to state waters because only residents are eligible subsistence users. Additional information is provided in proposal 105.

COST ANALYSIS: Approval of this proposal would result in a direct cost to residents of Juneau and Ketchikan to participate in this fishery. Approval of this proposal is expected to result in an additional cost for the department to sample and monitor the fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? Yes, for a portion of the stock. Treaty king salmon can be found throughout Southeast Alaska including in the Ketchikan and Juneau nonsubsistence areas.
2. Is this stock customarily and traditionally taken or used for subsistence? The board has made positive C&T findings for salmon in many areas of Southeast Alaska; however, those findings are not species specific.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes. King salmon are managed under the PST.
4. What amount is reasonably necessary for subsistence uses? ANS has been determined as follows: in Districts 1 – 4, 9,068 – 17,503 salmon (excluding the Ketchikan Nonsubsistence Use Area); in Districts 5 – 8, District 10, and Section 9-B, 4,120 – 7,345 salmon; in Section 9-A and District 13, 10,487 – 20,225 salmon; in District 12, 1,100 – 1,700 salmon, in District 14, 600 – 1,500 salmon; in District 15, 7,174 – 10,414 salmon.
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 104-1.—Southeast Alaska king salmon harvest by Alaska residents, 2010–2023.

Year	Resident sport harvest ^a	Resident commercial harvest retained for personal use	Personal use harvest ^b	Incidental personal use/ subsistence harvest ^b	Federal permit harvest	Total
2014	29,387	393	26	238	86	30,130
2015	23,529	456	6	80	75	24,146
2016	20,897	1,071	18	80	59	22,125
2017	16,694	649	30	51	60	17,484
2018	8,203	973	11	112	94	9,393
2019	9,785	1,999	77	106	72	12,039
2020	13,611	2,691	7	84	133	16,526
2021	16,109	3,160	0	133	120	19,522
2022	10,114	2,599	2	89	77	12,881
2023	18,785	2,589	12	118	62	21,566
2014–23 Avg	16,711	1,658	19	109	84	18,581

^a Includes marine harvest from the Yakutat Area.

^b Harvest is reported harvest from subsistence/personal use permits.

Table 104-2.—Alaska’s all gear catch limit and fisheries allocations, 2005–2024.

Year	All gear catch limit	Setnet	Gillnet	Seine	Troll	Sport
2005	416,400	1,000	7,600	17,905	311,916	77,979
2006	346,800	1,000	10,057	14,912	256,664	64,166
2007	329,400	1,000	9,553	14,164	243,747	60,937
2008	170,000	1,000	4,930	7,310	125,408	31,352
2009	218,800	1,000	6,345	9,408	161,637	40,409
2010	221,800	1,000	6,432	9,537	163,864	40,966
2011	294,800	1,000	8,549	12,676	218,060	54,515
2012	266,800	1,000	7,737	11,472	197,272	49,318
2013	176,000	1,000	5,104	7,568	129,862	32,466
2014	439,400	1,000	12,743	18,894	325,411	81,353
2015	237,000	1,000	6,873	10,191	175,149	43,787
2016	355,600	1,000	10,312	15,291	263,197	65,799
2017	209,700	1,000	6,081	9,017	154,881	38,720
2018	144,500	1,000	4,191	6,214	106,477	26,619
2019	133,600	1,000	3,874	5,745	98,385	24,596
2020	134,700	1,000	3,906	5,792	99,201	24,800
2021	190,000	1,000	5,510	8,170	140,256	35,064
2022	266,585	1,000	7,731	11,463	197,113	49,278
2023	206,027	1,000	5,975	8,859	152,154	38,039
2024	211,400	1,000	6,131	9,090	156,143	39,036

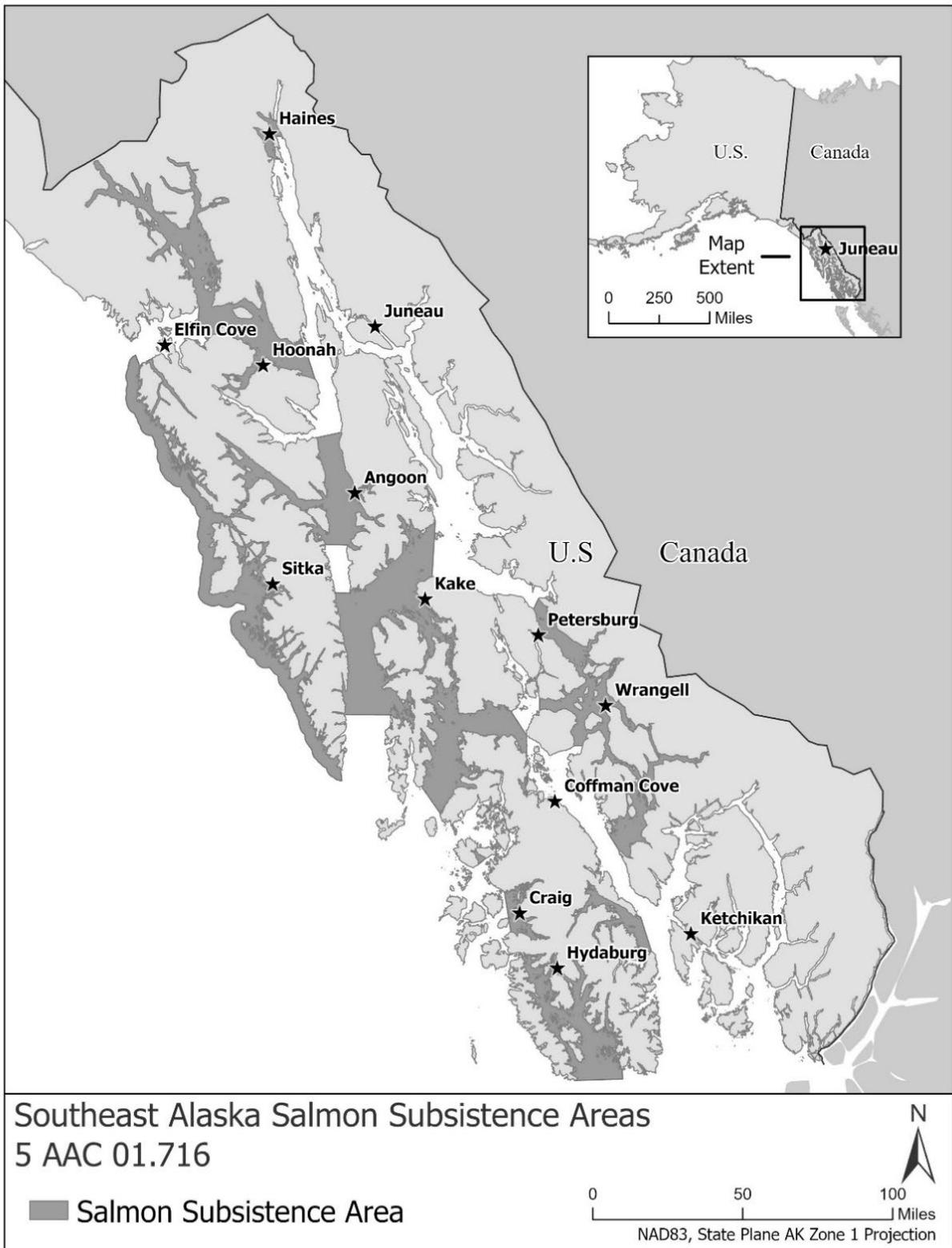


Figure 104-1.—Southeast Alaska waters with customary and traditional use findings for salmon.

PROPOSAL 105 – 5 AAC 47.020. General provisions and seasons and bag, possession, annual, and size limits for the salt waters of Southeast Alaska Area. and 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Marc Gorelnik.

WHAT WOULD THE PROPOSAL DO? This seeks to require equal management provisions between Alaska residents and nonresidents in the Exclusive Economic Zone (EEZ) in marine waters adjacent to Southeast Alaska (SEAK).

WHAT ARE THE CURRENT REGULATIONS? In the SEAK sport fishery, resident priority is provided through the use of increased bag and possession limits, annual limits, and size limits for king salmon, lingcod, sablefish, pelagic rockfish and demersal shelf rockfish. These management provisions apply in all marine waters of SEAK, including those of the EEZ.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This does not offer a solution but identifies the problem that differential resident and nonresident sport fishing regulations are in effect in waters of the EEZ that is not in compliance with the Magnuson–Stevens Fishery Conservation and Management Act (MSA). The department recommends a solution to maintain the current management regimes within Alaska state waters while removing the use of differential resident/nonresident management provisions within the EEZ and provides compliance with the MSA. This approach would likely maintain harvest at current levels, as overall fishing effort in the EEZ is small compared to that in state waters. Several management plans and the delegation of authority to issue emergency orders provide preferential management provisions for Alaska residents and would only be viable in State waters.

BACKGROUND: The State of Alaska has management authority in waters of the State that are (generally) from land out to 3 miles offshore (Figure 105-1). The State of Alaska has delegated authority to manage fisheries in federal waters of the EEZ (3 to 200 nautical miles offshore) but must be in compliance with provisions of the MSA. The MSA specifies that, “*Conservation and management measures shall not discriminate among residents of different States.*” 16 U.S.C. 1851 (a)(4).

Over the last 3 decades, the board has consistently provided increased opportunity for Alaska residents in the SEAK sport fishery when restrictions were necessary for conservation or allocative purposes. These actions were often in response to concerns that growth in the nonresident sport sector negatively impacted Alaska resident opportunity. The majority of sport fishing effort and harvest occurs within state waters, but limited sport fishing does occur within the EEZ, primarily off the coast of Sitka and Prince of Wales Island (Table 105-1).

Removing the use of differential resident/nonresident management provisions has implications for existing management plans and delegation of authority. In addition to demersal shelf rockfish and sablefish provisions in 5 AAC 47.020, the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055), *Lingcod delegation of authority and provisions for management* (5 AAC 47.060), and *Demersal shelf rockfish delegation of authority and provisions for management* (5 AAC 47.065) contain provisions that differentially apply to anglers based on residency.

DEPARTMENT COMMENTS: The department **SUPPORTS** aligning sport fish management with provisions of the MSA. The department is **NEUTRAL** on the allocation between resident and nonresident sport anglers.

The department-recommended solution is to apply the management provisions established for nonresident anglers to all anglers when fishing in the EEZ. Where preferential management provisions for resident anglers have been established by the board, those would continue to apply only within State waters. Substitute language will be provided at the board meeting.

This action would result in no change to nonresident angler regulations because they would be identical within state waters and the EEZ. Resident anglers would maintain preferential regulations within state waters where the vast majority of resident fishing effort and harvest occurs. When fishing in the EEZ all anglers would now follow the same sport fishing regulations. When an annual limit applies within the EEZ, a fish harvested in either state waters or the EEZ will count towards the annual limit established for all anglers in the EEZ. Residents will be able to continue to harvest in state waters when the resident annual limit is higher than the EEZ or when no annual limit has been established for residents in state waters.

This option is the least disruptive to current management regimes and the sport fishing industry while complying with provisions of MSA. Harvest and effort patterns are not expected to change under this scenario that allows for the current management plans and delegation of authority used for king salmon, lingcod, sablefish and rockfish to continue without major restructuring. This does create additional complexity as resident anglers will need to follow different and more restrictive regulations when fishing in the EEZ although a small number of resident anglers currently fish in the EEZ.

Other solutions considered are to remove the use of differential resident/nonresident regulations throughout all marine waters and replace them with management provisions that distinguish between guided/unguided anglers. For species with existing management plans and allocations (king salmon, lingcod and demersal shelf rockfish) resident/nonresident management tools are heavily utilized to control sport harvest and removing these management tools will necessitate new management regimes. In general, residents would lose opportunity as regulations for the unguided sector would need to be more restrictive to account for increased harvest potential by unguided nonresidents. Nonresidents fishing without a guide would then follow the same regulations as resident anglers. This would create incentive for nonresidents to fish without a guide and has potential to cause shifts in harvest patterns and business models within the sport fishing industry.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 105-1.—Percent (%) of sport harvest by species occurring in the Exclusive Economic Zone (EEZ) in Southeast Alaska (average 2021–2023).

User	King salmon	Lingcod	Pelagic rockfish	All nonpelagic rockfish	Sablefish
Guided ^a	<1	8	8	13	24
Nonresident ^b	<1	7	8	20	38
Resident ^b	<1	2	1	2	7

^a Reported harvest in charter logbooks.

^b Estimated harvest from SEAK MHS creel program.

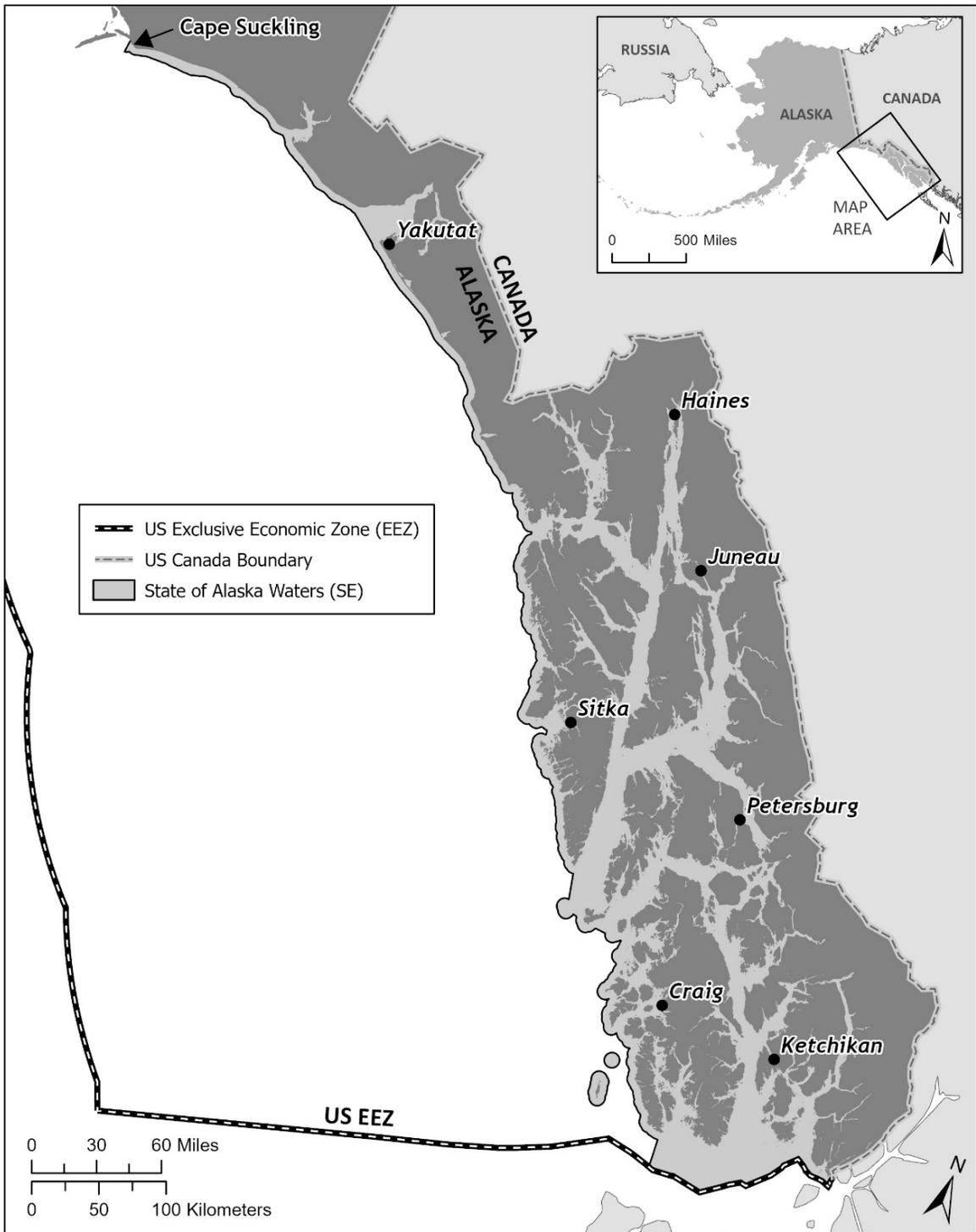


Figure 105-1.—Southeast Alaska state waters and the Exclusive Economic Zone (EEZ).

PROPOSALS 106 and 107 – 5 AAC 47.020. General provisions and seasons and bag, possession, annual, and size limits for the salt waters of Southeast Alaska Area. and 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Territorial Sportsman Inc. and Alaska Trollers Association.

WHAT WOULD THE PROPOSAL DO? These proposals would prohibit nonresidents on charter vessels (Proposal 106) or nonresidents (Proposal 107) that have taken fish in the Exclusive Economic Zone (EEZ) from possessing or offloading those fish in state waters, unless the nonresident angler is in compliance with nonresident regulations in effect for state waters.

WHAT ARE THE CURRENT REGULATIONS? In the Southeast Alaska sport fishery, differential resident/nonresident regulations are in effect for king salmon, lingcod, sablefish, pelagic rockfish and demersal shelf rockfish. Nonresidents regulations currently apply in all marine waters of Southeast Alaska, including those of the EEZ.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? There would be no change to current management regimes in state waters including the use of differential resident/nonresident management provisions. If there were more liberal limits for nonresidents in the EEZ, incentive would be removed for nonresidents to fish in the EEZ by restricting their ability to legally possess or offload harvest that did not comply with nonresidents regulations established for state waters while traveling through or fishing within state waters.

BACKGROUND: These proposals are in response to the need to align current sport fish management provisions with the Magnuson–Stevens Fishery Conservation and Management Act (MSA). Depending on the solution adopted by the board, this could result in an increase in harvest opportunity for nonresidents fishing within the EEZ. This proposal seeks to negate any increased opportunity in the EEZ by prohibiting the nonresident angler from possessing harvest in excess of what is provided under nonresident regulations for state waters.

To comply with MSA, sport fish management provisions must be the same for resident and nonresident anglers within the exclusive economic zone (3–200nm offshore). Preferential management provisions for Alaska residents may only be applied within State waters (generally 0–3nm from shore). Additional information is provided in proposal 105.

DEPARTMENT COMMENTS: The department **OPPOSES** prohibiting nonresident anglers from offloading their king salmon harvest in Alaska. The department is required to sample sport harvest of king salmon, and landing fish outside of Alaska removes the ability to sample the harvest. The board may not have the authority to prohibit nonresidents from offloading harvest in Alaska. Additional information regarding the board’s authority will be provided during the meeting.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery. There would be additional cost for nonresident anglers harvesting fish inside the EEZ to transport fish to another port outside of Alaska to offload. Approval of this proposal is not expected to result in an additional cost to the department.

KING SALMON-SPORT SOC ACTION PLANS (7 PROPOSALS)

PROPOSAL 122 – 5 AAC 47.030. Methods, means, and general provisions – Finfish.

PROPOSED BY: Juneau Douglas Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would prohibit the removal of king salmon from the water whenever the retention of king salmon is prohibited in the Southeast Alaska sport fishery in both fresh and salt water.

WHAT ARE THE CURRENT REGULATIONS? When retention of king salmon is prohibited, the department includes the language “any king salmon caught must be released immediately”. The removal of the fish from the water is not expressly prohibited. Freshwater fishing for king salmon is closed in Southeast Alaska with the exception of the Yakutat management area and select locations where Alaska hatchery-produced king salmon return.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Anglers that bring fish onboard a vessel or onto the shoreline to unhook king salmon before release would need to develop new strategies in order to keep the fish in water. Anglers would be prohibited from removing the fish from the water for any purpose, including to measure or photograph their catch.

BACKGROUND: The department engages in various education and outreach efforts to reduce unintended release mortality by promoting best practices when releasing fish. Education of best practices for both freshwater and saltwater fishing includes recommendations on tackle choice, hook removal, and proper handling, landing, and photographing. While the removal of fish from the water is not expressly prohibited, the department encourages anglers to keep their catch in the water when releasing fish to reduce stress and release mortality.

In several areas of Southeast Alaska, king salmon conservation measures that prohibit the retention of king salmon are implemented to protect Southeast Alaska wild king salmon stocks. When developing the action plans for Southeast Alaska king salmon stocks of concern the board approved areas and times of nonretention (fishing for salmon is allowed, but any king salmon caught must be released immediately) and areas that are closed to king salmon fishing (meaning king salmon may not be targeted). In most areas of Southeast Alaska king salmon have a minimum size limit of 28 inches.

The Pacific Salmon Treaty (PST) requires that estimates of incidental mortality be provided for all king salmon fisheries. A 15.9% mortality rate is applied for king salmon in the sport fishery consistent with standards accepted by the Chinook Technical Committee of the Pacific Salmon Commission. In Southeast Alaska, the department has prohibited removal of specific species from fresh water when the freshwater fishery is closed for conservation purposes. In some locations outside of Southeast Alaska, there are regulations prohibiting the removal of salmon from the water unless the fish is intended to be retained as part of the legal bag limit but these regulations typically apply in freshwater. In marine boat fisheries the height of the gunwale to the water line may make release without removal from the water difficult for some anglers.

DEPARTMENT COMMENTS: The department **OPPOSES** prohibiting the removal of king salmon from the water during periods of nonretention across all Southeast Alaska sport fisheries. This would unnecessarily complicate sport fishing regulation while providing minimal improvement to release mortality. The department prefers the current regulatory language

combined with the use of angler education to encourage best handling practices while not expressly prohibiting removal of king salmon from the water.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 123 – 5 AAC 47.030. Methods, means, and general provisions - Finfish.

PROPOSED BY: Territorial Sportsmen Inc. and Alaska Trollers Association.

WHAT WOULD THE PROPOSAL DO? This would prohibit netting and handling of king salmon in catch-and-release fisheries.

WHAT ARE THE CURRENT REGULATIONS? When retention of king salmon is prohibited, the department includes the language “any king salmon caught must be released immediately”. The netting and handling of the fish is not expressly prohibited. Freshwater fishing for king salmon is closed in Southeast Alaska with the exception of the Yakutat management area and select locations where Alaska hatchery-produced king salmon return.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Anglers that net fish onboard a vessel or onto the shoreline to unhook king salmon before release would need to develop new strategies in order to keep the fish in water. Anglers would be prohibited from netting or handling the fish to measure or photograph their catch prior to release.

BACKGROUND: Additional background provided in staff comments for proposal 122.

DEPARTMENT COMMENTS: The department **OPPOSES** prohibiting the netting and handling of king salmon prior to release during periods of nonretention. This would unnecessarily complicate sport fishing regulation while providing minimal improvement to release mortality. The department prefers the current regulatory language combined with the use of angler education to encourage best handling practices while not expressly prohibiting the netting and handling of king salmon prior to release.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 124 – 5 AAC XX.XXX. New Section.

PROPOSED BY: Tad Fujioka.

WHAT WOULD THE PROPOSAL DO? This seeks to open king salmon retention a week earlier for residents in areas that were previously closed due to wild stock conservation concerns when the preseason king salmon forecast for the Chilkat, Taku, Stikine or Unuk River is anticipated to exceed the lower bound of the escapement goal.

WHAT ARE THE CURRENT REGULATIONS? Action plans approved by the board in 2022 prescribe time periods of nonretention in the sport fishery in the vicinity of Haines, Skagway and Juneau (*Northern Southeast Alaska King Salmon Stock Status and Action Plan*), Petersburg and Wrangell (*Stikine River and Andrew Creek Chinook Salmon Stock Status and Action Plan*), and Ketchikan (*Unuk and Chickamin Chinook Salmon Stock Status and Action Plan*). For the majority of Southeast Alaska inside waters, retention of king salmon is prohibited April 1 through June 14 with longer time periods of nonretention in select areas (Figure 124-1). These actions are implemented by the department's emergency order authority and are not regulatory. When areas that are closed to retention reopen, the *Southeast Alaska King Salmon Management Plan* (KSMP) stipulates that the resident bag and possession limit will be a minimum of 2 king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Resident anglers would be allowed to retain king salmon 7 days earlier than nonresidents in salt waters where conservation measures for wild stock king salmon are in effect, if the preseason forecast relevant to that area is projected to be above the lower bound of the escapement goal. If this were applied across all areas of Southeast Alaska (SEAK), resident harvest is expected to increase by 500–1,000 king salmon of which some portion is expected to be SEAK wild-origin stocks.

BACKGROUND: The department has taken restrictive action in the sport fishery to reduce the harvest of SEAK wild-origin king salmon stocks since 2016. In 2018, the board designated the Chilkat River, King Salmon River and Unuk River as stocks of concern and approved *Chilkat and King Salmon Stock Status and Action Plan* and the *Unuk and Chickamin Chinook Salmon Stock Status and Action Plan*. In 2022, the Taku River, Stikine River and Andrew Creek king salmon stocks were also designated as stocks of concern and the *Northern Southeast Alaska King Salmon Stock Status and Action Plan* and *Stikine River and Andrew Creek Chinook Salmon Stock Status and Action Plan*, and an updated *Unuk and Chickamin Chinook Salmon Stock Status and Action Plan* were adopted. Actions prescribed in these plans are not regulatory but are done under the department's emergency order authority. The time and area closures prescribed by these action plans were selected to protect wild king salmon stocks during times when they are most prevalent in the harvest composition while still providing fishing opportunity for Alaska hatchery-produced king salmon and non-Alaska stocks.

King salmon escapement to the Chilkat River, Unuk River, and Chickamin River have improved, and these stocks are being recommended for delisting as stocks of concern. While escapement goals have been met more often in recent years this would not have been possible without the conservative management actions implemented by the king salmon action plans. The total run sizes for king salmon continue to be below historical averages and conservative management actions continue to be needed to ensure escapement goals are consistently met.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocation of king salmon harvest opportunity between sport and commercial fisheries and between resident and nonresident sport anglers but **OPPOSED** to increasing harvest on stocks of concern. If seasons are adjusted, it is expected to increase harvest of Alaska wild-origin stocks by a small amount. This action would create additional complexity as the opening dates for the sport fishery will vary across districts according to residency, and dependent on preseason forecasts. If the board desires to provide increased opportunity in fishing time for resident anglers, it is recommended to establish a consistent date when harvest opportunity for resident anglers would open and apply it consistently across the region regardless of preseason forecast (e.g. June 7 instead of June 14).

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 125 and 126 – 5 AAC XX.XXX. New Section.

PROPOSED BY: Juneau Douglas Fish and Game Advisory Committee (proposal 125) and Territorial Sportsman Inc. and Alaska Trollers Association (proposal 126).

WHAT WOULD THE PROPOSAL DO? This seeks to close sport fishing for king salmon in Section 14-A (Figure 125-1) from April 1 through June 14 when stock of concern status exists for king salmon stocks in Northern Southeast Alaska.

WHAT ARE THE CURRENT REGULATIONS? Section 14-A is open to the taking of king salmon year-round. The bag, possession, annual limits and other management measures are prescribed by the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055). The department uses emergency order authority to take management actions prescribed in stock of concern action plans.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Retention of king salmon would be prohibited in Section 14-A during the same time period as is currently prescribed for Section 14-B within the *2022 Northern Southeast Alaska King Salmon Action Plan*. This would reduce harvest of northern SEAK wild-origin stocks by some unknown amount.

BACKGROUND: In 2018, the board designated king salmon in the Chilkat River and King Salmon River as stocks of concern and adopted a set of conservation measures to be taken in Southeast Alaska commercial, sport and personal use fisheries. In 2022, the board added the Taku River as a stock of concern and continued conservation measures designed to protect the king salmon stocks of Northern Southeast Alaska as described in the *2022 Northern Southeast Alaska King Salmon Stock Status and Action Plan*. These management measures were designed to reduce the harvest of Southeast Alaska (SEAK) wild-origin stock king salmon while still providing fishing opportunity for Alaska hatchery-produced king salmon and non-SEAK stocks. The board was presented with management options for sport and commercial fisheries in the draft action plans. As part of the action plan, 3 options were provided to the board each being more restrictive than the first. The most restrictive option (C) included the largest time and area closures and was based on run timing to close corridors used by returning spawners headed back to the Chilkat, King Salmon, and Taku rivers. When recommending management actions for the sport fishery captured within the *2022 Northern Southeast Alaska King Salmon Action Plan*, the department and board were seeking to strike a balance between the priority to minimize harvest of SEAK wild-stock origin fish and providing harvest opportunity. When establishing the boundary for the April 1–June 14 nonretention period, the department considered the magnitude of harvest in the sport fishery, known migration corridors, and recognizing that the proportion of SEAK wild-origin king salmon stocks present in the harvest generally declines with distance from the terminal area. Additionally, the department sought to establish boundaries along existing section or district boundary lines to be easily identifiable for anglers and supported by existing data collection programs (e.g. Saltwater guided logbooks and marine creel).

Since 2018, king salmon returns to the Chilkat River have improved and Chilkat River is being recommended for delisting as a stock of concern. The Taku River and King Salmon River remain stocks of concern. The April 1 through June 14 nonretention period for the inside waters was designed to reduce king salmon harvest during the time when SEAK wild-origin king salmon stocks comprise a larger portion of the harvest. The management actions within the *Northern*

Southeast Alaska King Salmon Stock Status and Action Plan have been successful in reducing the exploitation of these stocks.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The *2022 Northern Southeast Alaska King Salmon Action Plan* was developed to reduce harvest on northern SEAK wild-origin stocks in both sport and commercial fisheries. This action plan will be reviewed and updated during the 2025 Southeast Alaska and Yakutat Finfish and Shellfish meeting, recognizing the Chilkat River is no longer recommended as a stock of concern. The board could choose to include this additional closed area as part of the *Taku and King Salmon Rivers Chinook Salmon Action Plan* or adopt regulatory language to close this area.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

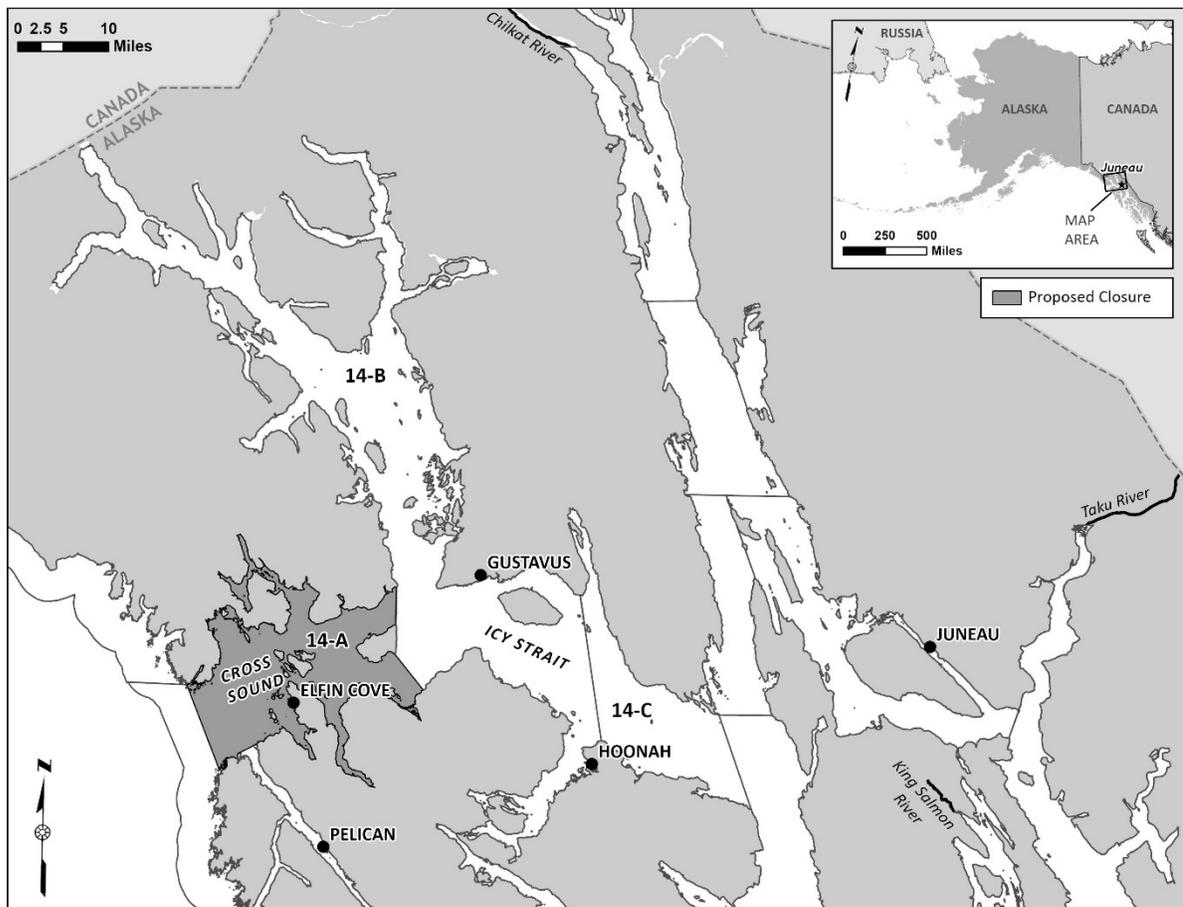


Figure 125-1.—Map of Section 14-A.

PROPOSAL 127 and 128 – 5 AAC XX.XXX. New section.

PROPOSED BY: Ketchikan Advisory Committee and Robert Jahnke.

WHAT WOULD THE PROPOSAL DO? Allow residents to harvest 1 king salmon per day, 28 inches or greater in length during the month of April in Ketchikan.

WHAT ARE THE CURRENT REGULATIONS? In District 1 (Ketchikan), existing regulations (5 AAC 47.020(j)(2)) close sport fishing year-round in North and Northeast Behm Canal and prohibit the retention of king salmon in Southeast Behm Canal from April 1 – August 14 (5 AAC 47.020(j)(3)). Since 2018, the king salmon sport fishery in District 1 has been managed conservatively in accordance with the *Unuk and Chickamin Rivers Chinook Salmon Stock Status and Action Plan, 2022*. The action plan management measures expand the seasonal king salmon nonretention areas to include West Behm Canal and Southeast Revillagigedo Channel from April 1 – August 14 and restrict bag and annual limits in the remaining waters of District 1 through August 14. In addition, the inside waters of Southeast Alaska (SEAK) beyond District 1 and Ketchikan have also been closed to the retention of king salmon from April 1 – June 14 (Figure 127-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would provide king salmon harvest opportunity for resident anglers during the month of April in the Ketchikan area. The harvest of Alaska wild stock king salmon is expected to increase by a small but unknown amount.

BACKGROUND: In 2018, the board designated the Unuk River king salmon run as a stock of concern and adopted a set of conservation measures to be taken in SEAK commercial, sport and personal use fisheries. In 2022, the board designated the Chickamin River as a stock of concern and adopted the same set of conservation measures designed to protect the Unuk River stock as reported in the *Unuk and Chickamin Rivers Chinook Salmon Stock Status and Action Plan, 2022*. The action plan management measures were designed to reduce the harvest of Alaska wild-origin king salmon while still providing some fishing opportunity, shaping the sport fishery around areas of higher Alaska hatchery contribution. Multiple hatchery opportunity areas targeting Alaska hatchery king salmon open in early June in the Ketchikan area (Figure 127-2).

Since 2018, king salmon returns to the Unuk River and Chickamin River have improved and are being recommended for delisting as a stock of concern. The spring nonretention period for the District 1 sport fishery described within the action plan was designed to reduce king salmon harvest during the time period when SEAK wild-origin king salmon stocks comprise a larger portion of the harvest. The king salmon action plan has been successful in reducing the exploitation of these stocks. Prior to the action plan, the average harvest rate on the Unuk River king salmon run was 41% (1,715 fish; 2007–2017) for all gear groups combined, of which the sport fishery harvest rate was 7% (300 fish). After the action plan conservation measures were in place, the average harvest rate on the Unuk River king salmon run was reduced to 27.6% (740 fish; 2018–2023), of which the sport fishery harvest rate was 6.6% (171 fish).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocation of harvest opportunity between resident and nonresident sport anglers. The *Unuk and Chickamin Rivers Chinook Salmon Stock Status and Action Plan, 2022* was developed to reduce harvest on these stocks with reciprocal actions in sport and commercial fisheries. King salmon returns to the Unuk and Chickamin Rivers have improved and are being recommended for delisting as a stock of

concern. Although the escapement goals have been met in recent years, this would not have been possible without the conservative management actions implemented by the *Unuk and Chickamin Rivers Chinook Salmon Stock Status and Action Plan*. The total run sizes for Unuk and Chickamin Rivers king salmon continue to be below historical averages and conservative management actions will continue as needed to ensure escapement goals are consistently met. The harvest magnitude of a resident fishery occurring in April is expected to be low but Alaska wild stock king salmon are likely to be present in the fishery at higher rates than when compared to mid-summer. This is expected to increase the harvest of Alaska wild stocks by a small but unknown amount.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

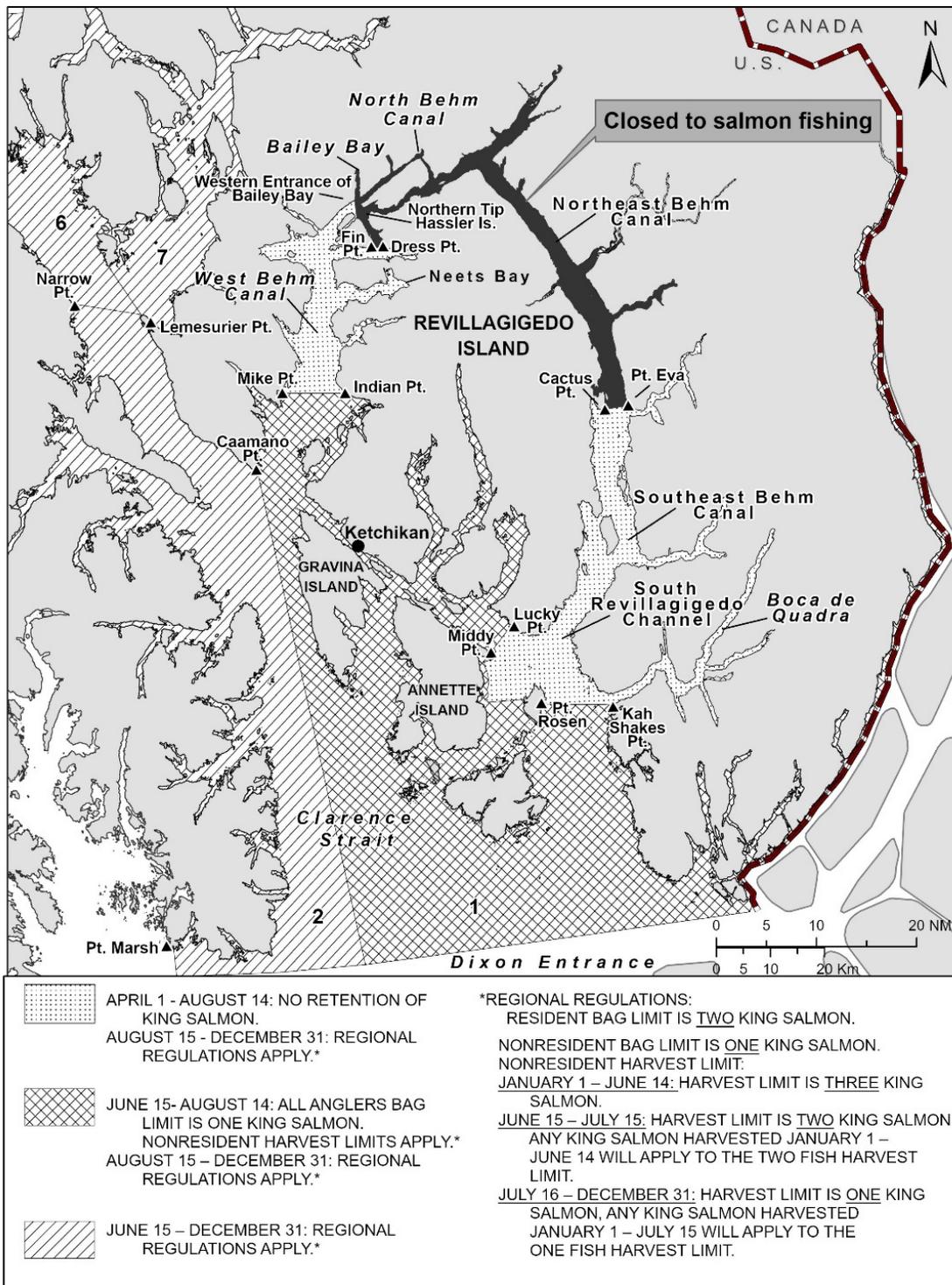


Figure 127-1.-Ketchikan area king salmon sport fishing regulations in 2024.

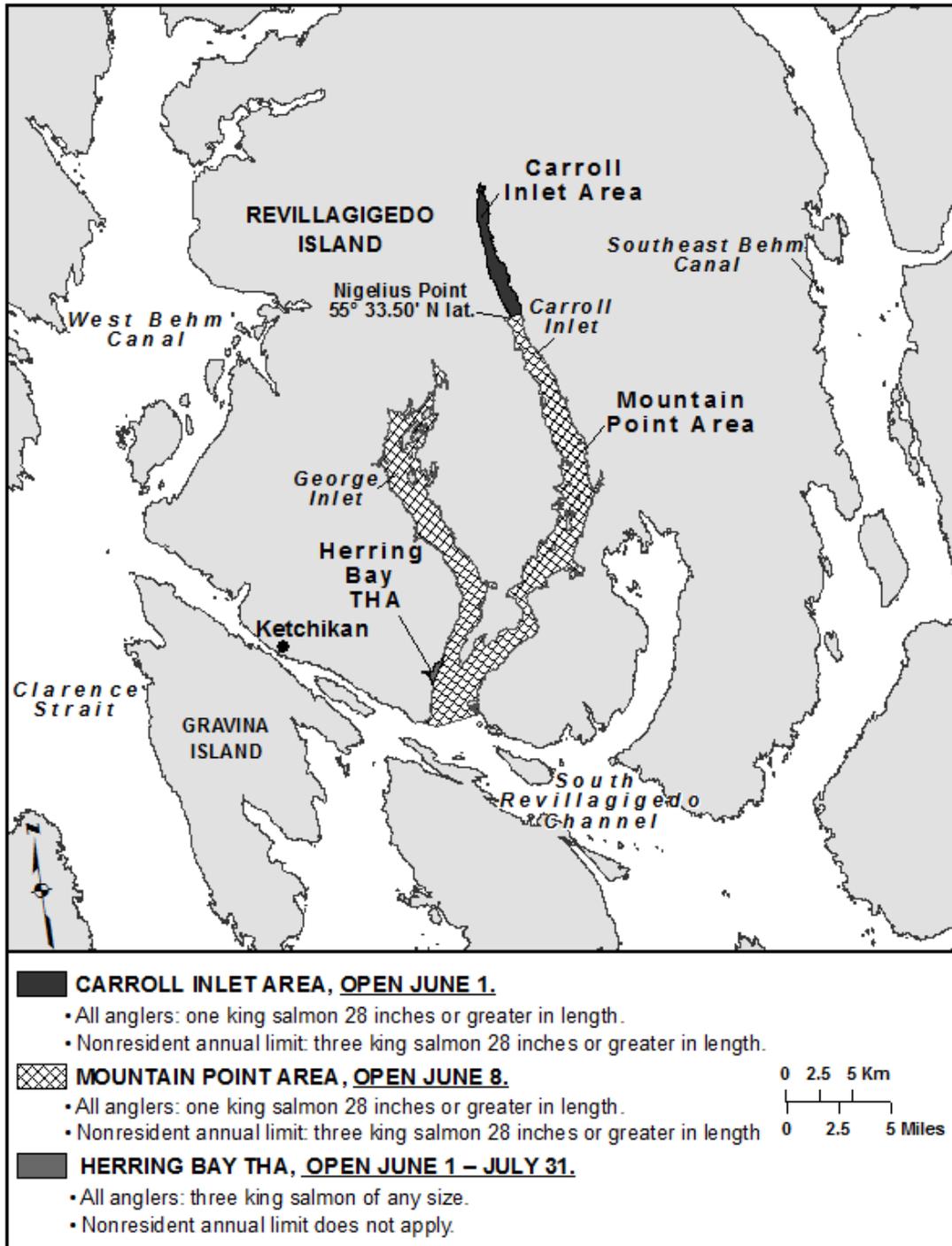


Figure 127-2.—Hatchery king salmon opportunity areas near Ketchikan in 2024.

KING SALMON-COMMERCIAL (7 PROPOSALS)

PROPOSAL 129 – 5 AAC 29.090. Management of the spring troll fishery.

PROPOSED BY: Casey Mapes.

WHAT WOULD THE PROPOSAL DO? This would open the Yakutat Bay area spring commercial troll fishery for 1 additional day per week.

WHAT ARE THE CURRENT REGULATIONS? The Yakutat Bay spring troll fishery may open, by emergency order, for a maximum of 1 day per week during the months of May and June in Yakutat Bay east of a line from Point Manby to Ocean Cape. The fishery has an annual total harvest limit of 1,000 king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The Yakutat Bay spring troll fishery could open for a maximum of 2 days per week, increasing opportunity for the troll fleet to harvest the allocation of 1,000 king salmon. By providing an additional day, effort in the fishery may increase. Participation in single day fisheries can be difficult due to, unfishable weather conditions, and unfavorable tides on the opening. Providing an additional day may help alleviate these problems and potentially increase the number of permits fished and their efficiency.

BACKGROUND: Spring troll fisheries are conducted within waters in close proximity to hatchery facilities or release sites, and in areas that have been identified as having low proportional harvests of wild stock Southeast Alaska/Yakutat king salmon. Spring troll and terminal troll fisheries target Alaska hatchery-produced king salmon, though non-Alaska hatchery or “treaty” king salmon are also harvested. While there is no ceiling on the number of king salmon harvested in the spring fisheries, the take of treaty king salmon is limited according to the percentage of the Alaskan hatchery fish taken in the fishery. New fishing areas or changes to existing areas may be proposed each year. These proposed areas are then scrutinized by department biologists for potential impacts on local wild stocks and to determine whether the area is one where a substantial portion of the harvest is likely to be of Alaska hatchery origin.

In 2006, the board established regulations that allow the department, by emergency order, to open a spring salmon troll fishery for 1 day per week during the months of May and June in the Yakutat Bay area east of a line from Point Manby to Ocean Cape. The maximum harvest is 1,000 king salmon and is not based on the composition of Alaska hatchery fish, as other spring areas. The regulation specified that the fishery may open only if the projected inriver run of 3-ocean-age and older king salmon to the Situk River is greater than 1,050 fish. During 2006 through 2011, the projected king salmon return to the Situk River was below the threshold that would allow a spring troll fishery to occur. In 2012, based on both coded-wire-tag and genetic stock identification samples from the Yakutat Bay marine sport harvest in 2009 that indicated only a small portion of the king salmon harvest originating from the Situk River, the board revised the Situk River Management Plan by removing the inriver run strength as a trigger for a spring troll fishery in Yakutat Bay.

During the 12-year period following this regulatory change, 2013–2024 (regulation did not take effect in time to prosecute the fishery in 2012), trollers in the Yakutat Bay fishery harvested the seasonal allocation of 1,000 king salmon in 2013 (Table 129–1), with a 10-year average harvest of just over half the seasonal limit, at 504 king salmon.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal because it provides additional opportunity for spring troll permit holders fishing Yakutat Bay to reach the seasonal harvest limit without additional king salmon being allocated. An additional day each week also provides troll management increased flexibility in scheduling weekly fishery openings.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 129–1.–Yakutat Bay spring troll king salmon harvest and permits fished, 2013–2024.

Year	Unique permits	Harvest
2013	31	1,050
2014	28	389
2015	29	385
2016	27	373
2017	34	680
2018	21	192
2019	27	749
2020	24	926
2021	28	666
2022	18	424
2023	19	409
2024	16	233
2014–23 Avg	24	504

PROPOSAL 130 – 5 AAC 29.100. Management of the summer troll fishery.

PROPOSED BY: David Richey and Ken McGee.

WHAT WOULD THE PROPOSAL DO? This would reallocate commercial harvest proportions among the summer troll king salmon openings by eliminating a second retention period.

WHAT ARE THE CURRENT REGULATIONS? The department shall manage the summer king salmon troll fishery to take 70% of the remaining annual troll non-Alaska hatchery-origin (treaty) king salmon allocation after accounting for the treaty harvest from winter and spring, beginning July 1. Regulations further specify that following the first king salmon retention period, the department will reopen a king retention period to take the remaining portion of the annual troll treaty king allocation after accounting for the treaty harvest from winter, spring, and the initial July 1 opening. Provisions of the *Southeast King Salmon Management Plan* also stipulate that in years when the sport fish treaty king salmon harvest is projected to exceed the sport fish treaty allocation that any overage would be transferred from the remaining troll treaty allocation to offset the overage.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The target harvest for the first summer troll king salmon retention period beginning July 1 would be modified from 70% of the summer allocation to 100% of the summer allocation, reducing the summer to a single king salmon retention period. By moving allocation from the second summer retention period in August, when average catch rates tend to be lower, to the first summer retention period in July, when catch rates on average are higher, the number of overall king salmon retention days during the summer would likely be reduced (Table 1). A reduction in the number of king salmon retention days increases the number of days during the summer when trollers would be required to release incidentally caught king salmon while targeting other salmon species. This potentially increases the number of troll king salmon mortalities associated with additional releases during the extended periods of king salmon nonretention.

The reallocation among troll king salmon retention periods also changes the stock composition proportions of the summer fishery. The stock composition of king salmon in the waters of Southeast Alaska (SEAK) varies throughout the summer season. By moving troll king salmon harvest from later in the season to the beginning could potentially reduce harvest rates on stocks more prevalent in August and September while concurrently increasing harvest rates on stocks primarily available during the first summer retention period in July. This may include reduced encounters of wild SEAK king salmon stocks to some degree, as the average wild SEAK king salmon proportion of the harvest from the second troll summer retention period tends to be higher than the first retention period in July, as presented in *The Harvest of Southeast Alaska Wild-Origin Chinook Salmon in the Southeast Alaska Troll and Sport Fisheries, 2005–2024 Technical Memorandum*

Current regulations under the *Management of the Summer Troll Fishery* provide for a second king salmon retention period in summer to target 30% of the summer allocation, that can provide for a buffer to the first king salmon retention period, should management exceed the initial summer fishery target of 70% of the allocation. Modifying the summer troll management plan to target 100% of the allocation in a single king salmon retention period would require the department to manage the fishery much more conservatively when compared to the fishery regime of the current management plan.

The value of the king salmon fishery may change to some degree, as king salmon average price and weight tend to be slightly higher during the second opening than earlier in the season. Under the proposed criteria, the entire summer troll king salmon allocation would be taken at the beginning of the season in July, that would likely decrease the value of the fishery to some extent.

BACKGROUND: The current regulations addressed in this proposal originated as part of the Troll Task Force Plan adopted by the board in 1994. The provisions of that plan were intended to help ensure a summer troll king salmon season of at least 10 days, minimize incidental mortality (IM), maximize the value of the troll product, and recognize the historic composition of the troll fishery. Reserving 30% of summer troll king salmon allocation for the second opening in August was intended to increase the number of king salmon retention days, because lower catch rates and higher Alaska hatchery contributions were anticipated compared with those in July.

Under terms of the Pacific Salmon Treaty (PST), the Pacific Salmon Commission (PSC) implemented a limit for IM of 59,400 treaty king salmon. The limit is based on the second highest level of incidental mortality experienced during 1999–2016, years that the current summer retention period allocations applied. The proposed change in fishery timing increases the risk of exceeding the Southeast Alaska IM limit set under the PST. The PST also requires that any proposed significant management changes that may alter the stock and/or age composition of the catch or IM requires a discussion within the PSC before implemented. The reallocation of 30% of the summer troll fishery harvest from August to July 1 changes the stock composition of the catch in addition to the IM.

The revised Southeast Alaska Biological Opinion published October 2, 2024 establishes new stock-specific limits on for king salmon stocks or stock aggregates listed as threatened under the Endangered Species Act (ESA). These limits correspond to the highest observed exploitation rate during 1999-2018, years in which the current summer retention period allocations applied. A reallocation of summer troll retention periods will alter the stock composition of the catch and may increase risk of exceeding ESA limits.

As per criteria of this proposal, a summary of the change in the number of summer troll king salmon retention days since 1999, when the PSC abundance-based management framework was adopted, is provided in Table 1. During 1999 through 2022, on average (excluding 2015 and 2017 when 100% of the summer king salmon allocation was taken during the first summer retention period) the number of troll king salmon retention days would have decreased by 6 days. During the most recent 10-year period from 2010 to 2022, the number of troll king salmon retention days would have been reduced on average by 1 week, or approximately 9% of the summer troll season length.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal due to the potential increase in incidental king salmon mortalities associated with reducing the overall number of troll king salmon retention days during summer and the potential to alter the stock composition of the catch.

This significant change to the summer troll fishery management regime will require discussions at the PSC regarding changes to the stock composition and incidental mortality of the catch. It will increase the risk of exceeding PST limits for incidental mortality resulting in additional fishery management adjustments. The increased harvest levels in July will increase the risk of exceedance of take limits of ESA-listed king salmon.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 130-1.–Summer commercial troll change in king salmon retention days with transfer of August allocation to July, 1999–2022.

Year	Summer allocation	July–70%	August–30%	Additional July days	August days	July vs August difference	July–fleet catch/day	August–fleet catch/day
1999	95,714	67,000	28,714	2	8	-5	13,021	3,729
2000	90,000	63,000	27,000	3	4	-2	10,154	6,212
2001	103,571	72,500	31,071	3	19	-16	10,809	1,606
2002	211,429	148,000	63,429	6	21	-15	10,389	2,969
2004	210,429	147,300	63,129	5	5	0	12,933	12,733
2005	229,714	160,800	68,914	8	6	1	8,890	10,834
2006	191,857	134,300	57,557	5	9	-3	10,818	6,559
2007	172,143	120,500	51,643	7	10	-3	7,027	5,130
2008	87,143	61,000	26,143	2	5	-3	11,983	4,831
2009	122,643	85,850	36,793	4	10	-6	8,458	3,668
2010	111,686	78,180	33,506	4	3	0	9,322	9,691
2011	145,503	101,852	43,651	4	4	0	10,076	9,912
2012	140,193	98,135	42,058	6	16	-10	6,847	2,551
2014	237,373	166,161	71,212	2	6	-4	28,490	11,131
2016	174,286	122,000	52,286	2	15	-13	21,326	3,375
2018	75,429	52,800	22,629	5	4	1	4,215	5,503
2019	79,571	55,700	23,871	2	2	0	11,712	12,335
2020	119,800	83,860	35,940	3	13	-10	11,916	2,756
2021	119,300	83,510	35,790	4	13	-9	8,808	2,764
2022	152,700	106,890	45,810	14	39	-26	3,333	1,164
10-yr Avg						-7		
20-yr Avg						-6		

Note: Year excludes 2015 and 2017 when 100% was caught in July.

PROPOSAL 131 – 5 AAC 29.100. Management of the summer troll fishery.

PROPOSED BY: Tad Fujioka.

WHAT WOULD THE PROPOSAL DO? This would allow for multiple commercial limited harvest fisheries to occur during a summer season and allow for a limited harvest fishery to occur in place of a second summer king salmon retention period if the department determines there is not an adequate number of king salmon to provide for at least a 3-day competitive opening.

WHAT ARE THE CURRENT REGULATIONS? If the department determines that the number of king salmon remaining on the annual troll king salmon harvest allocation following the first summer retention period is not sufficient to allow a competitive fishery, the commissioner may, by emergency order, reopen the troll fishery to the taking of king salmon under the provisions of a limited harvest fishery. In a limited harvest fishery, the department establishes vessel harvest limits that allow each permit holder to take a defined number of king salmon over a period of up to 10 days, with the fishery taking place no earlier than September 1.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? In years when the department is estimating a 1- to 2-day competitive second summer troll king salmon retention period, the department may open a limited harvest fishery in place of a competitive opening. This would allocate a fixed number of king salmon per vessel over an established 10-day period rather than provide for a competitive fishery where there would be no harvest limits per permit during a 1- or 2-day fishery. In addition to providing a limited harvest fishery as the second summer king salmon retention period, this proposal would also allow for additional or multiple limited harvest fisheries to occur during summer if there is remaining annual troll allocation and/or remaining fish on the Southeast Alaska (SEAK) all-gear allowable catch.

BACKGROUND: The summer troll fishery targets the number of Pacific Salmon Treaty (PST) king salmon remaining on the annual troll allocation after winter and spring PST harvests are subtracted. During years when the summer king salmon quota is relatively large, opening lengths are estimated and a closing date is determined inseason. In years when the summer quota is relatively small, a pre-determined number of retention days and a closing date are announced prior to a king salmon opening.

Regulations that provide for a summer troll king salmon trip limit fishery were adopted by the Board of Fisheries in 2015 in order to fully utilize the available troll king salmon allocation. Prior to adoption of this regulation, when king salmon remained on the annual troll harvest allocation, following a second summer retention period, those fish remained unharvested for the season. Since 2015, the department has opened a limited harvest fishery during 3 seasons, 2019, 2023, and 2024. During these years, implementing a limited harvest fishery was effective at harvesting the small remaining portion of king salmon allocation while not exceeding the annual troll king salmon harvest limit. Additionally, the limited harvest troll fishery, that allocates any remaining troll treaty king salmon allocation equally amongst active permit holders near the end of the king salmon accounting year, has been used as a management tool to assist in the taking of surplus king salmon allocation from other gears groups that would have otherwise gone unharvested. In these years, a limited harvest troll fishery was instrumental in helping bring SEAK closer to the annual all-gear king salmon catch limit.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal because it improves management flexibility and may provide an opportunity to implement both a limited harvest

fishery as the second summer troll king salmon retention period or multiple limited harvest fisheries in a season when small portions of both troll and all-gear annual PST king salmon allocations remain. This fishery has been a useful management tool since 2015, and the department favors expanded flexibility of the current regulation.

The department would also support removal of existing language that limits the initial opening date to no earlier than September 1. A provision to start a limited harvest fishery earlier than September 1 would provide the department flexibility to set openings dates at their discretion.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 132 – 5 AAC 29.140. Size limits, possession, and landing requirements.

PROPOSED BY: Tad Fujioka.

WHAT WOULD THE PROPOSAL DO? This would reduce the commercial troll king salmon minimum size restriction of 28-inches from tip of snout to tip of tail (in its natural open position) in all Southeast Alaska (SEAK) spring troll fisheries to 26.5-inches from tip of snout to fork of tail.

WHAT ARE THE CURRENT REGULATIONS? King salmon taken and retained in the commercial salmon troll fishery must measure at least 28-inches from tip of snout to tip of tail or 23-inches from the midpoint of the cleithral arch to the tip of the tail. The commissioner may close a terminal harvest area (THA) troll fishery by emergency order (EO) and reopen that fishery with a 26-inch minimum size restriction, if it is determined that king salmon in the THA are predominately Alaska hatchery-produced fish. A vessel that has retained king salmon that are less than 28-inches is prohibited from fishing outside of the THA until those fish are offloaded from the vessel and reported on a fish ticket

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The measurement method and size restrictions for spring troll fisheries during May and June would be modified. The winter and summer troll fisheries that occur annually from October through April would continue to use the current legal king salmon measurement requirements, making length requirements among troll seasons inconsistent. Seasonal differences in measurement procedures could cause confusion within the troll fleet and has generated some concern from the Alaska Wildlife Troopers.

Additional troll king salmon harvest during spring troll fisheries may occur, as the new measurement requirements may provide for harvest of king salmon that would not have met the legal size requirement under the current minimum size limit definition.

BACKGROUND: The 28-inch minimum size limit for king salmon was established for the commercial troll and sport fishery in 1977. This minimum size was established to reduce the harvest of salmon with 2 years or less of ocean growth and direct harvest toward mature fish. The effects of this were thought to provide more larger fish to the troll fishery. This size limit aligned with the minimum size limits in other southern U.S. states at that time. Currently, SEAK troll and sport fisheries implement a 28-inch size limit, and 28 inches in length is used in net fisheries for determining “large” and “jack” king salmon. Although the theory behind this size limit still stands today, the 28-inch size limit may no longer be appropriate due to the trend of decreasing size at age of king salmon occurring coastwide.

Spring troll fisheries are conducted during May and June, when maturing Alaska hatchery produced king salmon are migrating back to hatcheries or hatchery release sites. The fisheries are intended to target these mature fish while minimizing harvest of non-Alaska hatchery origin and wild SEAK king salmon stocks. Like other salmon species, king salmon do exhibit morphological changes as they begin to mature, that can affect the overall length, which current size restrictions are based on.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because it modifies a long-standing standardized measurement requirements that applies to both commercial and recreational fisheries regionwide.

By varying the size restriction measurement requirements among commercial troll seasons, increased size restriction violations may occur when different measurement methods are used among adjacent seasons.

If this proposal is adopted, the midpoint of the cleithral arch to the tip of the tail measurement will also need to be updated for freezer troll fish landed as headed and gutted product.

Given the coastwide trend of smaller size at age for king salmon, a size reduction to 27-inch (snout to tip) better aligns with king salmon with 2 years of ocean growth or less. A comparable update to the cleithral arch to tip of tail measurement to 22-inch would be appropriate in this scenario.

Additionally, reducing the minimum size restriction will alter the age composition and potentially the stock composition of the catch. Per the terms of the Pacific Salmon Treaty, significant management changes that may alter the stock or age composition and incidental mortality of the all-gear harvest require discussion of the Pacific Salmon Commission before implemented. This also has the potential to alter impacts on stocks listed as threatened under the Endangered Species Act (ESA) that may affect the risk of exceeding take limits specified in the revised Southeast Alaska Biological Opinion.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 133 – 5 AAC 29.140. 5 AAC 29.140 Size limits, possession, and landing requirements.

PROPOSED BY: Tad Fujioka

WHAT WOULD THE PROPOSAL DO? This would reduce the commercial troll king salmon minimum legal size limit of 28-inches from tip of snout to tip of tail (in its natural open position) in the District 13 spring troll fisheries to 26.5-inches from tip of snout to fork of tail.

WHAT ARE THE CURRENT REGULATIONS? King salmon taken and retained in the commercial salmon troll fishery must measure at least 28-inches from tip of snout to tip of tail or 23-inches from the midpoint of the cleithral arch to the tip of the tail. The commissioner may close a terminal harvest area (THA) troll fishery by emergency order (EO) and reopen that fishery with a 26-inch minimum size restriction, if it is determined that king salmon in the THA are predominately Alaska hatchery-produced fish. A vessel that has retained king salmon that are less than 28-inches is prohibited from fishing outside of the THA until those fish are offloaded from the vessel and reported on a fish ticket.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The measurement method and size restrictions for May and June spring troll fisheries in salmon management District 13 would be modified. Spring troll fisheries located in all remaining waters throughout Southeast Alaska (SEAK) would continue to use the current legal king salmon measurement requirement, making length requirements for spring troll inconsistent among fishery areas that could cause confusion within the troll fleet, and has generated some concern from the Alaska Wildlife Troopers.

Additional troll king salmon harvest during District 13 spring troll fisheries may occur, as the new measurement regime may provide for harvest of king salmon that would not have met the legal-size requirement under the current minimum size limit definition.

BACKGROUND: The current 28-inch minimum size limit for king salmon was established for the commercial troll and sport fishery in 1977. This minimum size was established to reduce the harvest of salmon with 2 years or less of ocean growth and direct harvest toward mature fish. The effects of this were thought to provide more larger fish to the troll fishery. . This size limit aligned with the minimum size limits in other southern U.S. states at that time. Currently, SEAK troll and sport fisheries implement a 28-inch size limit, and 28 inches in length is used in the net fisheries for determining “large” and “jack” king salmon. Although the theory behind this size limit still stands today, the 28-inch size limit may no longer be appropriate due to the trend of decreasing size at age of king salmon occurring coastwide

Spring troll fisheries are conducted during May and June, when maturing Alaska hatchery produced king salmon are migrating back to hatcheries or hatchery release sites. The fisheries are intended to target these mature fish while minimizing harvest of non-Alaska hatchery origin and wild SEAK king salmon stocks. Like other salmon species, king salmon do exhibit morphological changes as they begin to mature, that can affect the overall length, which current size restrictions are based on.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because it modifies a long-standing standardized measurement requirement that applies to both commercial and recreational fisheries regionwide.

By varying the size restriction measurement requirement among spring troll areas, enforcement issues may arise from boats that have moved from areas where fish less than 28-inches were allowed to be retained to areas where the size limit was still 28-inches.

If this proposal is adopted, the midpoint of the cleithral arch to the tip of the tail measurement will also need to be updated for freezer troll fish landed as headed and gutted product.

Given the coastwide trend of smaller size at age for king salmon, a size reduction to 27-inch (snout to tip) better aligns with king salmon with 2 years of ocean growth or less. A comparable update to the cleithral arch to tip of tail measurement to 22-inch would be appropriate in this scenario.

Additionally, reducing the minimum size restriction will alter the age composition and potentially the stock composition of the catch. Per the terms of the Pacific Salmon Treaty, significant management changes that may alter the stock or age composition and incidental mortality of the all-gear harvest require discussion of the Pacific Salmon Commission before implemented. This also has the potential to alter impacts on stocks listed as threatened under the Endangered Species Act (ESA) that may affect the risk of exceeding take limits specified in the revised Southeast Alaska Biological Opinion.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 134 – 5 AAC 39.XXX. New Section. Unlawful Possession of King Salmon.

PROPOSED BY: East Prince of Wales Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This seeks to establish redundant regulations for king salmon during periods of retention and nonretention in the commercial purse seine fishery and also seeks to establish a bail schedule with fines for violation, with subsequent fines for each additional king salmon encountered.

WHAT ARE THE CURRENT REGULATIONS? In the purse seine fishery king salmon that measure at least 28 inches from tip of snout to tip of tail may be sold during periods of retention. When the purse seine fishery is restricted to king salmon nonretention, king salmon taken incidentally that measure over 28 inches in length may not be retained and king salmon that measure less than 28 inches in length may be retained but not sold.

The reporting requirements in 5 AAC 39.130 state for salmon that the number and pounds by species retained for personal use by a commercial fishers be documented on a fish ticket.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? There likely would be no effect because regulations already prohibit the retention of king salmon during periods of nonretention in the purse seine fishery and king salmon less than 28 inches in length may be retained but not sold. Any species of salmon retained for personal use is required to be documented on the fish ticket.

BACKGROUND: The 28-inch size limits and landing of king salmon regulation has been in place in a similar format since the 1970s, although it has undergone minor adjustments to the language. The regulation was recently revised in 2018, where 5 AAC 33.392(g) was added, and gave the commissioner the authority to implement nonretention of king salmon in the purse seine fishery.

In areas under nonretention of king salmon 28 inches or larger, purse seine fishers are encouraged to quickly release king salmon in a manner that minimizes mortality. If king salmon greater than 28 inches (large) are retained, the fisher is in violation and may be issued a citation. The department seeks 100 percent documentation of harvested king salmon in all commercial fisheries.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Regulations are already in place that prohibit king salmon over 28 inches in length to be on board a purse seine vessel, or retained for personal use, during periods of nonretention in the purse seine fishery. Any fish retained for personal use are required to be documented on a fish ticket. This is an enforcement issue and over the last several years, the department has worked closely with the Alaska Wildlife Troopers (AWT) to better enforce compliance with king salmon reporting requirements during periods of both retention and nonretention of king salmon in the purse seine fishery. Additionally, the board does not have the authority to set a bail schedule.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 169 – 5 AAC 29.120. Gear Specifications and operations.

PROPOSED BY: Max Mielke.

WHAT WOULD THE PROPOSAL DO? This would allow the use of fishing rods in conjunction with downriggers by hand troll permit holders during spring and summer commercial troll seasons.

WHAT ARE THE CURRENT REGULATIONS? A hand troll vessel may operate an aggregate of no more than 4 fishing rods, each with no more than 1 leader with 1 lure or 2 baited hooks, or they may operate an aggregate of no more than 2 hand troll gurdies to which multiple leaders and hooks may be attached. During the winter season only, a hand troll gurdy or a downrigger powered by hand or hand crank may be used in conjunction with a fishing rod. It is further defined for winter that an aggregate of only 2 rods connected to 2 downriggers or hand troll gurdies may be used.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Allowing the use of hand-operated downriggers or gurdies in spring and summer in conjunction with a fishing rod, as permitted under current regulations, during the winter season, would allow hand troll permit holders operating fishing rods the option of using hand operated downriggers or gurdies to assist in the depth control of deployed gear. This would allow hand trollers utilizing fishing rods to deploy gear to the known depth of the downrigger weight, rather than an estimated depth when using inline weights or diving planers tied to the fishing line. Permit holders opting to use downriggers under this proposal are restricting their gear to the use of 2 fishing rods, each with a single lure or bait.

This proposal could potentially increase the number of hand troll permits fished in spring and summer fisheries, if inactive permits are put into service because of adoption of this proposal, and consequently the total number of salmon harvested by hand troll gear could increase. Conversely, if an active permit holder chose to convert from the use of 2 hand troll gurdies or 4 fishing rods, to the use of 2 fishing rods attached to downriggers, the resulting reduction in fishing gear could lead to a decrease in the number of salmon harvested by that permit holder. It seems unlikely that adoption of this proposal would result in any significant change to the annual hand troll harvest.

BACKGROUND: In 2006, the Alaska Board of Fisheries (board) adopted regulations that allowed for the use of 2 fishing rods in conjunction with 2 downriggers for hand troll permits during the winter troll fishery. Because the winter fishery differs in many aspects from the spring and summer, adoption of these gear changes during that part of the year was of less concern. During the winter troll season, fishers are subjected to adverse weather conditions, reducing the number of days fished. Winter trollers are confined to more restrictive salmon fishing areas than summer and limits the fishery to within the winter boundaries that were modified in 1994, that eliminated the more open ocean fishing areas. Participation is generally reduced to local residents during winter, decreasing overall effort. Guided sport angler effort also decreases to annual lows in winter, reducing enforcement concerns with sport client bag limits and personal use harvest reporting when vessels are dually registered for commercial hand troll and guided sport. It was the finding of the board that, because of these seasonal differences, operation of fishing rods in conjunction with downriggers would not significantly affect the hand troll harvest during winter, and consequently adopted the proposal as amended, excluding spring and summer.

Similar proposals were submitted in 2012, 2015, 2018, and 2022 with the board failing to adopt the modified hand troll gear language for reasons identified in 2006.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal, which may increase the number of fish harvested by hand troll gear.

The Alaska Wildlife Troopers have expressed enforcement concerns regarding decreasing the separation between legal gear for commercial hand troll and sport fishing. Segregation of these 2 gear types helps alleviate a number of issues that could arise when hand troll and sport anglers fish adjacently. These concerns were addressed in the 2006, 2012, 2015, 2018, and 2022 board meetings, and remain unchanged.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

COMMITTEE OF THE WHOLE – GROUP 4: SOUTHEAST ALASKA AND YAKUTAT AREA SUBSISTENCE, COMMERCIAL, PERSONAL USE, AND SPORT SALMON AND TROUT; ENHANCEMENT AND TERMINAL HARVEST AREAS (35 PROPOSALS)

SOUTHEAST SUBSISTENCE SALMON (3 PROPOSALS)

PROPOSAL 135 – 5 AAC 01.720 Lawful gear and gear specifications. and 5 AAC 01.760. Redoubt Bay and Lake Sockeye Salmon Fisheries Management Plan.

PROPOSED BY: Southeast Alaska Regional Advisory Council.

WHAT WOULD THE PROPOSAL DO? This would allow the use of seine gear for subsistence permit holders in the waters of Redoubt Bay closed to commercial fishing only when sockeye salmon escapement is greater than 40,000 fish.

WHAT ARE THE CURRENT REGULATIONS? The legal gear types for the Redoubt Bay and Lake subsistence salmon fishery include gaff, dip net, seine, gillnet, and a hook and line attached to a rod or pole. However, the use of seine and gillnet gear is prohibited in the waters of Redoubt Bay closed to commercial fishing (Figure 135-1). Snagging of sockeye salmon by subsistence permit holders is only allowed seaward of a line approximately 100 yards from the base of the falls. When the projected total sockeye salmon escapement to Redoubt Lake is greater than 40,000 fish, portions of Redoubt Bay may be opened to commercial fishing and community harvest permits may be issued. Community harvest permits allow the use of a beach seine and hand purse seine north of a line approximately 150 yards from the base of the falls as marked by department regulatory markers.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? A community harvest permit would not be needed to use seine gear inside of waters closed to commercial fishing when the projected sockeye salmon escapement to Redoubt Lake exceeds 40,000 fish. It is unclear how this change would affect the harvest of sockeye salmon in the subsistence fishery as anecdotal evidence suggests that seine gear is not an effective gear type for harvesting sockeye salmon within the area closed to commercial harvest up to 150 yards of the base of the falls. Allowing the use of seine gear up to the snagging boundary could create additional conflict among gear types in the area seaward of 100 yards from the base of the falls.

BACKGROUND: The *Redoubt Bay and Lake Sockeye Salmon Fisheries Management Plan* was adopted in 2003. This plan established an optimal escapement goal (OEG) for Redoubt Lake sockeye salmon (7,000–25,000 fish) and created an abundance-based management plan to manage the harvest of sockeye salmon in subsistence, sport, and commercial fisheries. The plan was designed to increase the likelihood of achieving the sockeye salmon OEG, especially in years with large runs, and to ensure subsistence priority.

In 2022, the board added gillnet and seine gear to the legal gear types allowed for subsistence permit holders. Additionally, at that meeting the board also allowed the use of hand purse seine gear to within 150 yards of the base of the falls for community harvest permits. Since the board

expanded the area seine gear could be used in 2022, seine gear has not been successfully used by community harvest permit holders in the area.

From 2003 through 2023, the Redoubt Lake sockeye salmon OEG has been met every year and exceeded 14 times. The 2003–2023 average sockeye salmon harvest in the subsistence fishery is 5,739 fish with a range of 599 fish harvested in 2015 to 13,683 fish harvested in 2006. An average 277 subsistence salmon permit holders have participated yearly in the Redoubt Bay fishery since 2003.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because it is a matter of gear preference and presents potential conflict among subsistence fishers. The department does not have any management or biological concerns with adoption of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined under 5 AAC 01.716(a)(11)(B)(ii) that sockeye salmon in Section 13-B in waters north of the latitude of Redfish Cape are customarily and traditionally taken for subsistence uses.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established a range of 10,487–20,225 salmon that are reasonably necessary for subsistence uses for Section 9-A and District 13 (5 AAC 01.716(c)(3)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

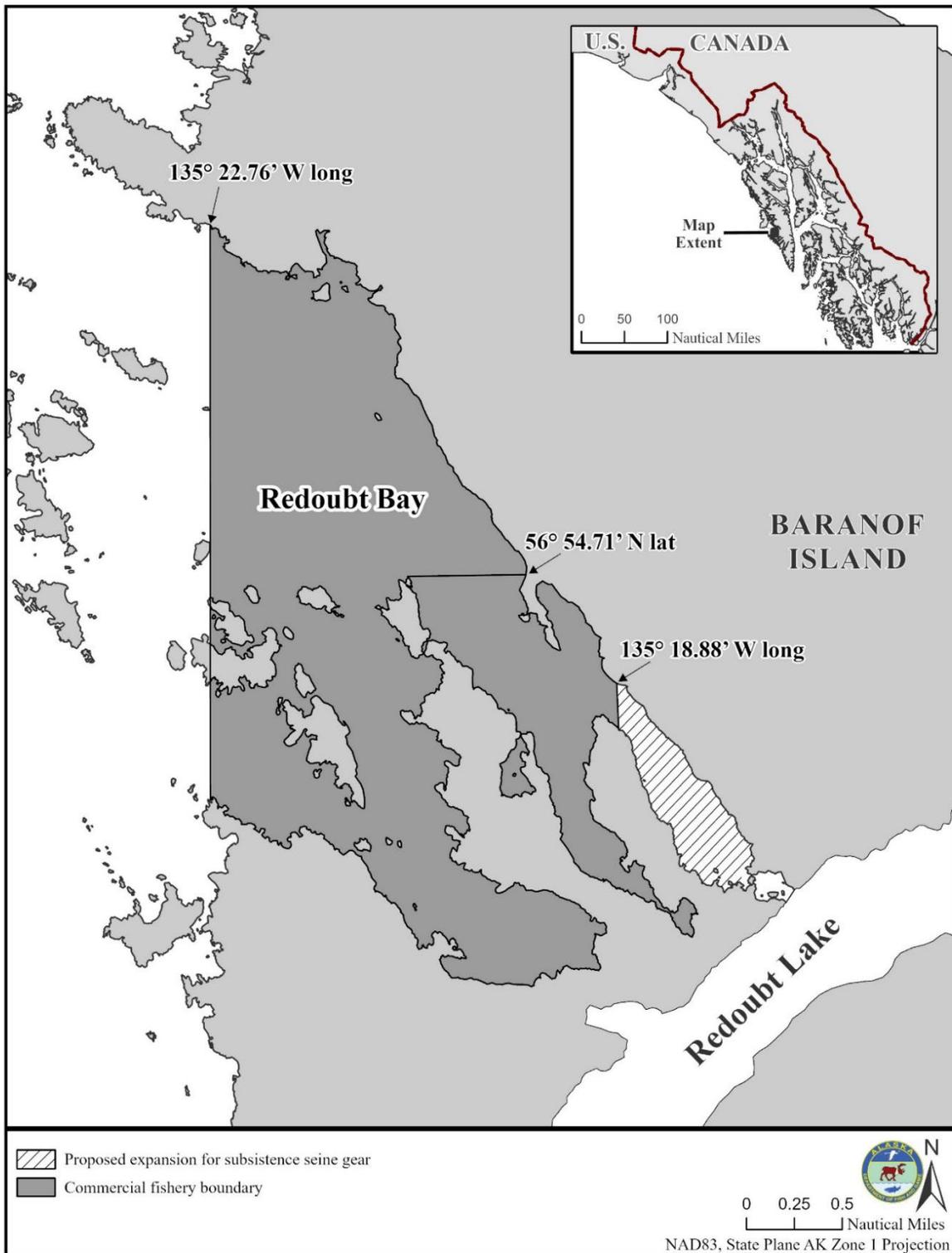


Figure 135-1.—Redoubt Bay current subsistence and commercial fishery boundaries and proposed area of expansion for subsistence seine gear.

PROPOSALS 136 and 137 – 5 AAC 01.745. Subsistence bag and possession limits; annual limits.

PROPOSED BY: Southeast Alaska Subsistence Regional Advisory Council and Hoonah Indian Association.

WHAT WOULD THE PROPOSAL DO? Proposal 136 would increase the possession limit in the Basket Bay/Kook Lake subsistence salmon fishery from 15 to 20 sockeye salmon and the annual limit from 30 to 40 sockeye salmon. Proposal 137 would increase the possession limit from 15 to 30 sockeye salmon to match the 30 fish annual limit.

WHAT ARE THE CURRENT REGULATIONS? The possession limit is 15 sockeye salmon, with an annual limit of 30 sockeye salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Subsistence salmon fishers targeting sockeye salmon in the Kook Lake drainage and Basket Bay would be permitted to have 20 or 30 fish in possession and an annual limit of 30 or 40 fish. The increase in possession limit would likely increase the annual subsistence harvest of sockeye salmon from this system.

BACKGROUND: Sockeye salmon returns to Kook Lake, often harvested in the marine waters of Basket Bay by beach seine or drift gillnet, have been an important subsistence resource for many households in northern Southeast Alaska. The total harvest reported on subsistence permits from 1985-2023 is apportioned to community residents as follows: Juneau – 41%, Angoon – 36%, Sitka – 9%, Hoonah – 8%, and Tenakee Springs – 4%. Annual reported Basket Bay/Kook Lake sockeye salmon subsistence harvest and permits fished have generally decreased in the most recent 19 years compared to the 20 years prior (Table 136-1). In 2002, harvest limits for all species and locations on the combined subsistence and personal use salmon fishing permit in the Juneau Management Area were changed to possession and annual limits instead of the individual and household limits that were specified previously. In 2016, subsistence and personal use salmon harvest limits were adopted into regulation under a specific delegation of authority from the board. The Basket Bay sockeye salmon possession limit has been set at 15 fish since 2002 and the annual limit was also set at 15 fish through 2006 and was then increased to 30 fish in 2007 where it currently remains. Although most locations within the Juneau Management Area (JMA) have matching possession and annual limits, the possession limit for Basket Bay was set at 15 fish to moderate harvest from the much larger population base of subsistence users living in the Juneau area.

ADF&G and the USDA Forest Service operated a weir at the outlet of Kook Lake in 1994 and 1995; the USDA Forest Service, Angoon Community Association, and ADF&G, cooperatively conducted weir/mark-recapture studies in 2005–2007 and net-video weirs in 2010-2017. Sockeye salmon escapement estimates during those years escapement projects were ran averaged 4,586 fish with a range from 1,812 fish in 1994 to 10,165 fish in 2006. Subsistence sockeye salmon systems on the JMA permit that receive consistent effort and have had stock assessment projects with lower magnitude escapement estimates such as Basket Bay/Kook Lake, Neva/South Creeks, and Kanalku Bay, generally have lower annual harvest limits. Other systems that have larger magnitude run sizes and/or receive less effort have larger annual harvest limits (Figure 136-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Increasing the possession limit could result in higher annual harvest potentially presenting a conservation concern for this small unmonitored stock. There is consistent effort from subsistence harvesters from

multiple communities including Juneau at this location, sockeye salmon runs are smaller in magnitude than many other systems on the permit, and there is no current stock assessment. The recent and long-term average annual recorded harvest of sockeye salmon per permit has been approximately the possession limit (15 fish) with most harvesters making a single trip to this location.

COST ANALYSIS: Approval of these proposals is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of these proposals is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined that salmon stocks in the waters of District 12 south of a line from Fishery Point to South Passage Point and north of the latitude of Point Caution, including the waters of Whitewater Bay are customarily and traditionally used for subsistence.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established an ANS of 1,100 – 1,700 salmon in District 12 (5 AAC 01.716(c)(4)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

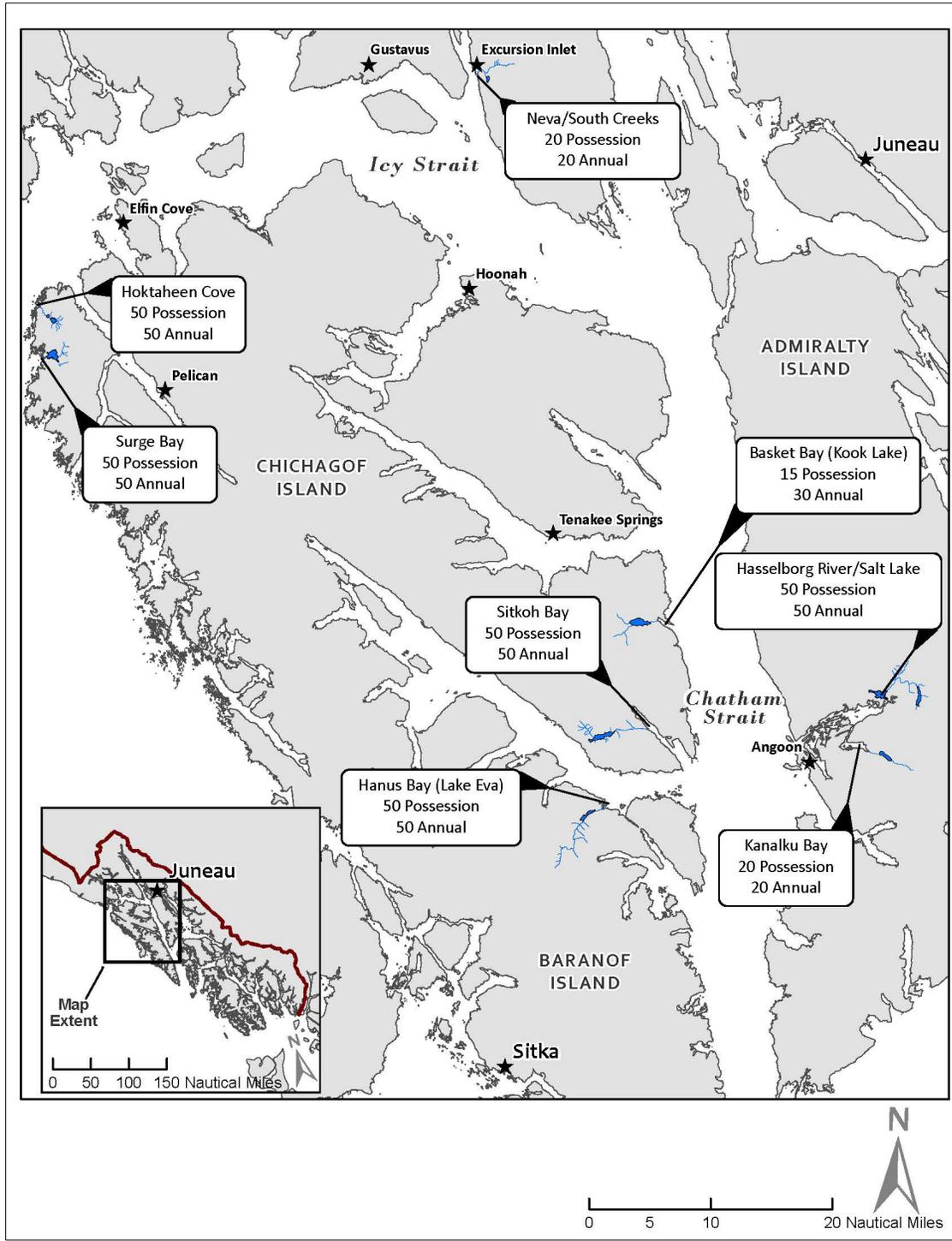


Figure 136- 1.–Juneau area subsistence sockeye salmon fishery locations and current harvest limits.

Table 136-1.—Annual reported harvest and effort in the Basket Bay/Kook Lake state subsistence sockeye salmon fishery, 1985–2023.

Year	Sockeye harvest	Permits fished
1985	450	37
1986	1,427	78
1987	1,233	55
1988	316	29
1989	493	27
1990	477	29
1991	406	26
1992	602	31
1993	475	26
1994	348	22
1995	387	21
1996	302	20
1997	187	18
1998	327	19
1999	418	22
2000	252	18
2001	279	23
2002	645	38
2003	941	39
2004	691	46
2005	169	14
2006	507	25
2007	156	14
2008	172	15
2009	170	13
2010	553	34
2011	414	29
2012	101	4
2013	135	10
2014	277	18
2015	302	25
2016	354	20
2017	476	32
2018	391	22
2019	309	23
2020	347	22
2021	136	10
2022	156	9
2023	307	26
1985–2004 Avg	533	31
2005–2023 Avg	286	19

SOUTHEAST SPORT SALMON AND TROUT (12 PROPOSALS)

PROPOSAL 138 – 5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

PROPOSED BY: Michael Cole.

WHAT WOULD THE PROPOSAL DO? This would prohibit snagging in the Mendenhall Wetlands State Game Refuge (Refuge).

WHAT ARE THE CURRENT REGULATIONS? Snagging is a permitted method of take in the salt waters of Southeast Alaska (SEAK), including Gastineau Channel inside the boundaries of the Refuge.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Prohibiting snagging is expected to decrease the magnitude and efficiency of the sport harvest of salmon within the Refuge.

BACKGROUND: The Refuge encompasses the majority of Gastineau Channel that separates the Juneau mainland from Douglas Island (Figure 1). Popular sport fisheries targeting hatchery salmon occur in the refuge, and snagging is a widely used method to efficiently harvest hatchery coho and king salmon returning to release sites at the Macaulay Salmon Hatchery and Fish Creek Pond (Figure 138-1). King salmon harvest opportunity in the Juneau area is significantly limited by conservation measures necessary to protect SEAK wild-origin king salmon stocks as prescribed by the *2022 Northern Southeast Alaska King Salmon Action Plan*. The harvest of Alaska-hatchery origin king salmon occurring in the refuge is a large component of total annual king salmon harvest by many local anglers, especially those who do not have boats to travel to other areas to fish.

While harvest estimates specific to the refuge are not available, the annual harvest of salmon along the Juneau road system varies with the strength of hatchery returns, averaging 2,163 coho, 527 king salmon and 8,160 angler-days per year over the prior 10 years (2014-2023; Statewide Harvest Survey). A targeted shoreside harvest survey project (creel) at Fish Creek Pond, that lies largely within the refuge, estimated over 1,000 king salmon harvested and over 6,000 angler hours of fishing effort in both 2022 and 2023 at that location alone. The department does not collect information on method of take and cannot apportion harvest by snagging, but snagging is known to be a significant portion of the total harvest in the Juneau shoreline fishery, especially in terminal hatchery areas.

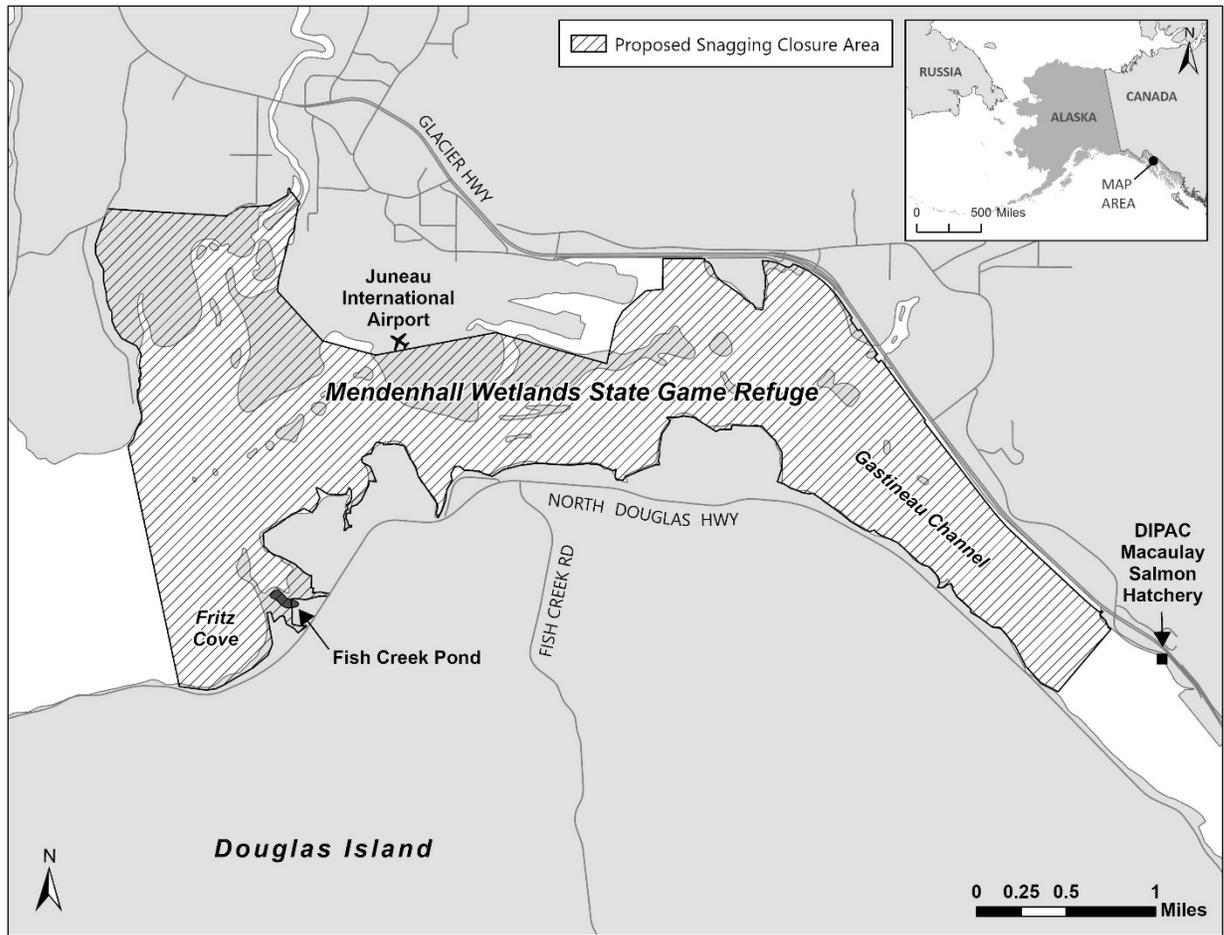


Figure 138-1.—Map of Mendenhall Wetlands State Game Refuge.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this methods and means proposal. Prohibiting snagging would reduce the efficiency of harvest on primarily Alaska hatchery-produced salmon where there is no conservation concern. The department uses emergency order authority to restrict sport fishing in the terminal area when necessary to protect hatchery broodstock.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 139 – 5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

PROPOSED BY: CBJ Docks and Harbors.

WHAT WOULD THE PROPOSAL DO? This would prohibit snagging within Don D. Statter Harbor, Auke Bay (Juneau).

WHAT ARE THE CURRENT REGULATIONS? Snagging is a permitted method of take in the salt waters of Southeast Alaska, including within Don D. Statter Harbor (Figure 139-1). Snagging or attempting to snag is prohibited within a 200-yard radius seaward of ADF&G regulatory markers located approximately 200 feet downstream of the Auke Creek weir, that is partially included in the boundaries of Don D. Statter Harbor.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Prohibiting snagging may decrease the magnitude and efficiency of the sport harvest of salmon species but could reduce safety concerns and conflicts with other harbor activities.

BACKGROUND: Snagging is a popular method of sport fishing in saltwater along the Juneau road system. Before the Statter Harbor expansion, there was ample space for anglers to fish safely; however, the area has become increasingly crowded.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this methods and means proposal. Prohibiting snagging may reduce the efficient harvest for some sport anglers but could improve safety and reduce user conflicts. If adopted the department recommends a boundary line that would include the Don. D. Statter harbor and the current no snagging zone at the mouth of Auke Creek (Figure 139-1).

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

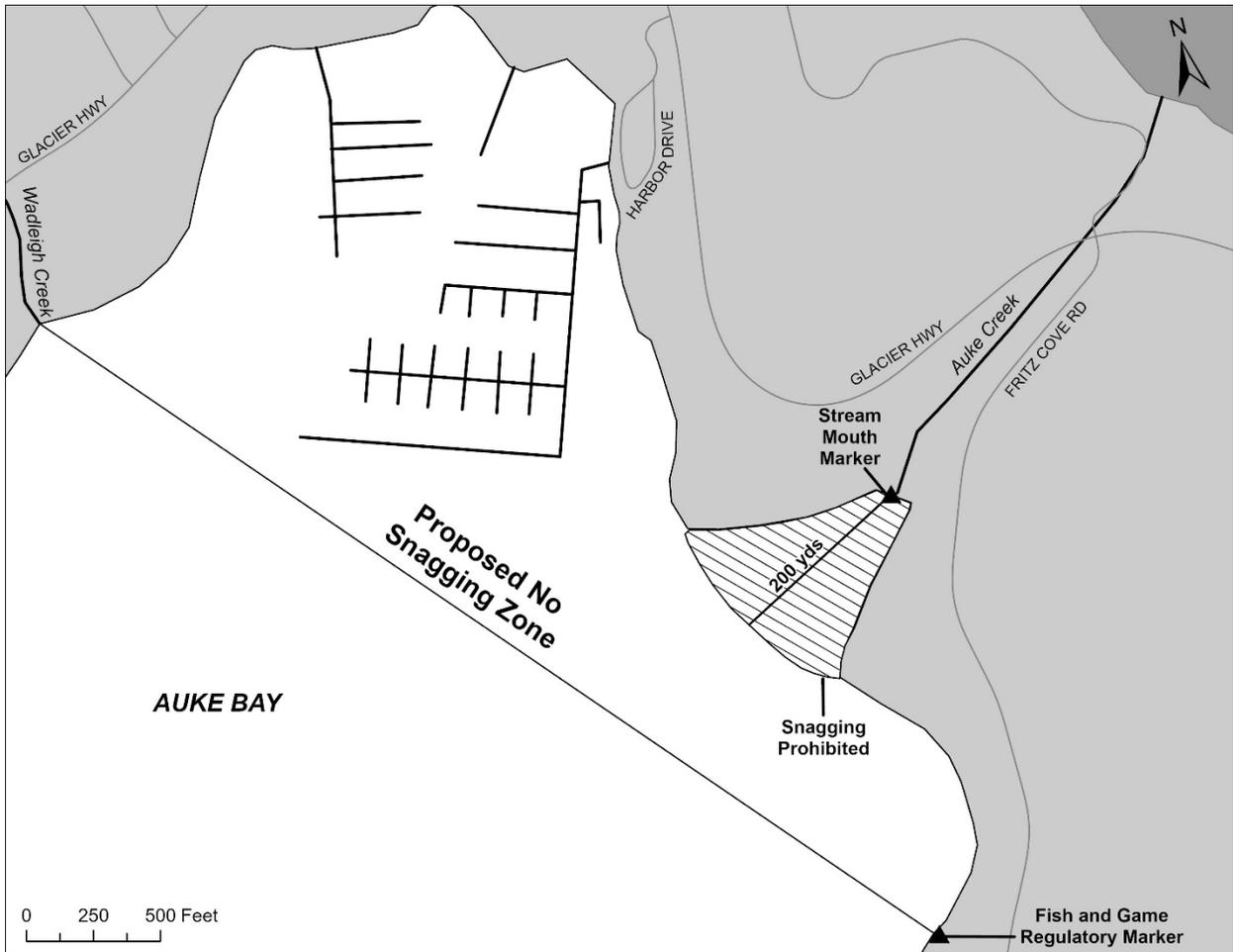


Figure 139-1.—City and Borough of Juneau (CBJ) general property boundary map including current and proposed Auke Creek no snagging zones.

PROPOSAL 140 – 5 AAC XX.XXX. New Section.

PROPOSED BY: Cody Cowan.

WHAT WOULD THE PROPOSAL DO? This would require the use of a single barbless circle hook in the sport fishery from April 1–June 14.

WHAT ARE THE CURRENT REGULATIONS? Under statewide regulations, anglers may use a single line having attached to it not more than 1 plug, spoon, spinner, or series of spinners, or 2 flies, or 2 hooks. In fresh water, fish may not be taken by means of fixed or weighted hooks and lures, or multiple hooks with a gap between point and shank larger than ¹/₂ inch with the exception that only single hooks may be used in the Situk River drainage.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? All anglers would be required to use a single barbless circle hook from April 1 to June 14 when sport fishing in salt water and fresh water.

BACKGROUND: The department engages in various education and outreach efforts to reduce unintended release mortality by promoting best practices for catch-and-release fishing. Education on proper catch-and-release methods include recommendations on tackle choice, hook removal, proper handling and photographing.

In order to account for sources of mortality beyond harvest, the impacts of incidental mortality (number of fish that die as a result of fishery interaction, including release mortality) must be estimated. The Chinook Technical Committee of the Pacific Salmon Commission stipulates a 15.9% mortality rate be applied to the total number of released king salmon in the sport fishery. Terminal gear most commonly used in Southeast Alaska salmon fisheries consists of barbed single hooks or barbed treble hooks used with both bait and artificial lures. Circle hooks are most commonly used when targeting groundfish species and are rarely used in fresh water.

Studies on recreational marine sport fisheries indicate that release mortality is most influenced by hook placement and fish handling, not on hook type. These studies indicate the use of fishing practices (such as the use of bait) that facilitate ingestion and deeper hook placement causes a higher mortality rate than hook type, such as treble, single, circle, and/or barbless. To reduce resident species release mortality in Southeast Alaska freshwater fisheries, the use of bait is prohibited for 10 months, allowing for a 2-month period during the fall coho salmon season when bait may be used in some systems.

DEPARTMENT COMMENTS: The department **OPPOSES** requiring the use of barbless single hooks in all Southeast Alaska sport fisheries from April 1 to June 14 without a biological need. This will reduce sport fishing efficiency, complicate regulations, and provide no meaningful conservation benefit.

COST ANALYSIS: The adoption of this proposal will result in an increased cost for a private person to participate in this fishery because existing gear would have to be replaced with barbless circle hooks. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 141 – 5 AAC XX.XXX. New Section.

PROPOSED BY: Cody Cowan.

WHAT WOULD THE PROPOSAL DO? This would prohibit the use of bait in all saltwater sport fisheries of Southeast Alaska from April 1 to June 14.

WHAT ARE THE CURRENT REGULATIONS? The use of bait is permitted in all saltwater sport fisheries in Southeast Alaska.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The release mortality of sport caught fish may decrease by an unknown amount.

BACKGROUND: The department engages in various education and outreach efforts to reduce unintended release mortality by promoting best practices for catch-and-release fishing. Education on proper catch-and-release methods include recommendations on tackle choice, hook removal, proper handling and photographing.

In several areas of Southeast Alaska, conservation measures prohibiting the retention of king salmon are implemented to protect Southeast Alaska wild king salmon stocks from April 1 to June 14. These actions were adopted by the board within the action plans associated with king salmon stocks of concern. Terminal gear most commonly used in Southeast Alaska saltwater fisheries consists of barbed single hooks or barbed treble hooks used with both bait and artificial lures.

Studies on recreational marine sport fisheries indicate that release mortality is most influenced by hook placement and fishing handling. Mortality is often higher for fish hooked in vital areas such as the gills and stomach. Bait increases the chance of hooking in these areas. In order to account for sources of mortality beyond harvest, the impacts of incidental mortality (number of fish that die as a result of fishery interaction, including release mortality) must be estimated. The Chinook Technical Committee of the Pacific Salmon Commission applies a 15.9% incidental mortality for king salmon in the sport fishery.

Data from saltwater charter logbooks indicate that charter anglers do not regularly target and release king salmon during the spring nonretention period in Southeast Alaska inside waters, except in Ketchikan (Table 141-1). The majority (76%) of the king salmon released in Ketchikan occurs in 1 statistical area 101-90, primarily in Clover Pass. On average 1,522 king salmon are released in the charter fishery annually from April 1 to June 14 in Ketchikan, of which 68 king salmon of SEAK wild stock origin are estimated to have died from incidental mortality annually.

DEPARTMENT COMMENTS: The department **OPPOSES** prohibiting the use of bait in all saltwater sport fisheries during the king salmon nonretention period April 1 – June 14. King salmon returns to the Unuk River, Chickamin River, and Chilkat River have improved and are no longer recommended as stocks of concern. The king salmon action plans associated with king salmon stocks of concern have been successful in reducing the exploitation of these stocks and further restrictions on the use of bait is not necessary. The department prefers the current regulatory language combined with the use of angler education to encourage best catch-and-release practices while not expressly prohibiting the use of bait.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 141-1.—Number of released king salmon (large and small) reported in charter logbooks by management area during the spring nonretention period, April 1–June 14.

Year	Ketchikan	Petersburg-Wrangell	Juneau	Haines-Skagway
2018	507	36	30	48
2019	2,125	100	85	210
2020	23	0	0	0
2021	113	14	14	0
2022	793	14	48	29
2023	2,664	20	46	113
2018–2019 and 2022–2023				
Avg ^a	1,522	43	52	100

^a 2020 and 2021 data omitted due to reduced effort related to Covid-19 travel restrictions.

PROPOSAL 142 – 5 AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This will open Ketchikan Creek to sport fishing year-round and establish a king salmon bag and possession limit of 2 per day, any size. King salmon harvested in Ketchikan Creek will not count towards the nonresident annual limit as established by the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055).

WHAT ARE THE CURRENT REGULATIONS? Current regulations prohibit sport fishing from June 1 – September 14 in Ketchikan Creek. King salmon may not be retained by regulation, but an emergency order is issued annually to open Ketchikan Creek to sport fishing and to establish a bag and possession limit for king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Annual emergency orders to open Ketchikan Creek would no longer be necessary. Ketchikan Creek would be open to sport fishing year-round and king salmon bag and possession limits would be established by regulation.

BACKGROUND: A seasonal sport fishing closure from June 1 – September 15 has been in regulation since 1986 to allow for broodstock collection that previously occurred at Deer Mountain Hatchery. Southern Southeast Regional Aquaculture Association (SSRAA) assumed ownership of the hatchery in 2013 and now collects their king salmon broodstock at the Whitman Lake Hatchery rather than Deer Mountain Hatchery. Because this closure is in regulation, the department must issue an emergency order annually to open the creek to sport fishing and establish regulations for surplus hatchery king salmon that return to Ketchikan Creek. The department has established a bag limit of 2 king salmon, any size and removed the nonresident annual limit in Ketchikan Creek annually since 2015. A personal use dip net fishery for king salmon is also conducted in Ketchikan Creek, the possession limit is 5 king salmon per person, no size limit.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. If adopted this proposal would establish current management practices into regulation and eliminate the need to issue an annual emergency order.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 143 and 144 – 5 AAC 47.022. General provisions for seasons and bag, possession, annual, and size limits for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Klawock Fish & Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Increase regionwide combined rainbow and cutthroat trout bag and possession limits from 2 to 4 fish for Southeast Alaska.

WHAT ARE THE CURRENT REGULATIONS? The regionwide bag and possession limit for rainbow and cutthroat trout, in combination, is 2 fish with a size limit no less than 11 inches and no greater than 22 inches in length. There is no annual limit or closed season.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would increase harvest opportunity for rainbow and cutthroat trout in the majority of waterbodies in Southeast Alaska. The bag and possession limit is increased while maintaining current size limits.

BACKGROUND: In 1994, the board responded to department and public concerns of declining catches and smaller size of cutthroat trout in Southeast Alaska by adopting conservative regulations for cutthroat (and rainbow trout) and implementing a regionwide management strategy for resident trout species. Special regulations for trophy cutthroat trout lakes, high-use waters, high productivity and stocked lakes apply to specific drainages while general regulations apply to all other waterbodies in Southeast Alaska. Bait is prohibited in fresh waters for 10 months (November 16–September 14) to reduce hooking mortality of trout but still allow opportunity for fall coho salmon fishing with bait. The minimum size limit of 11 inches allows female cutthroat trout to spawn at least once before they are susceptible to harvest. Current Southeast Alaska trout regulations are consistent with the conservative standards set forth in the *Statewide Management Standards for Wild Trout* (5 ACC 75.220), that specifies bag, possession and size limits for Southeast Alaska and the *Policy for the Management of Sustainable Wild Trout Fisheries* (5 ACC 75.222) adopted by the board in 2003.

The catch and harvest of combined rainbow and cutthroat trout in Southeast Alaska fresh waters has significantly declined since the 1990s despite relatively stable regulations since 1994 (Figure 143-1). The recent 10-year average (2014–2023) Statewide Harvest Survey estimates of combined trout harvest for Southeast Alaska has averaged 1,737 while annual catch has averaged 21,065. During this period approximately 92% of trout were released and cutthroat trout comprised 69% of the combined trout catch. Southeast Alaska freshwater angling effort (angler days) has shown a slight decrease since the mid-2000s but cannot be stratified into effort only targeting trout (Figure 143-1). The department attributes the decline in catch and harvest of trout to reduced angler interest in targeting trout and increased expense to access remote lakes.

The department is currently conducting a multi-year research project to evaluate trout populations in a selection of lakes across Southeast Alaska. This study began in 2018 and is designed to evaluate the status of trout populations while informing the development of potential changes to management provisions for trout in Southeast Alaska. This study is strategically aligned to present results and provide recommendations for the 2028 Southeast Alaska board cycle. In the 5 lakes that this study has completed, the department found healthy trout populations where increased harvest opportunity could be provided.

DEPARTMENT COMMENTS: The department **OPPOSES** increasing the regional bag limit for trout. The department does not have regionwide biological concerns for the trout resource, but this regulation would deviate from current regionwide trout regulations that meet the standards for conservative management the board established for Southeast Alaska in the *Statewide Management Standards for Wild Trout (5 ACC 75.220)* and may not be appropriate on a regionwide scale. The department recommends completing the current ongoing research that will be used to inform potential changes to the management provisions for trout and returning to the board with recommendations in 2028.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

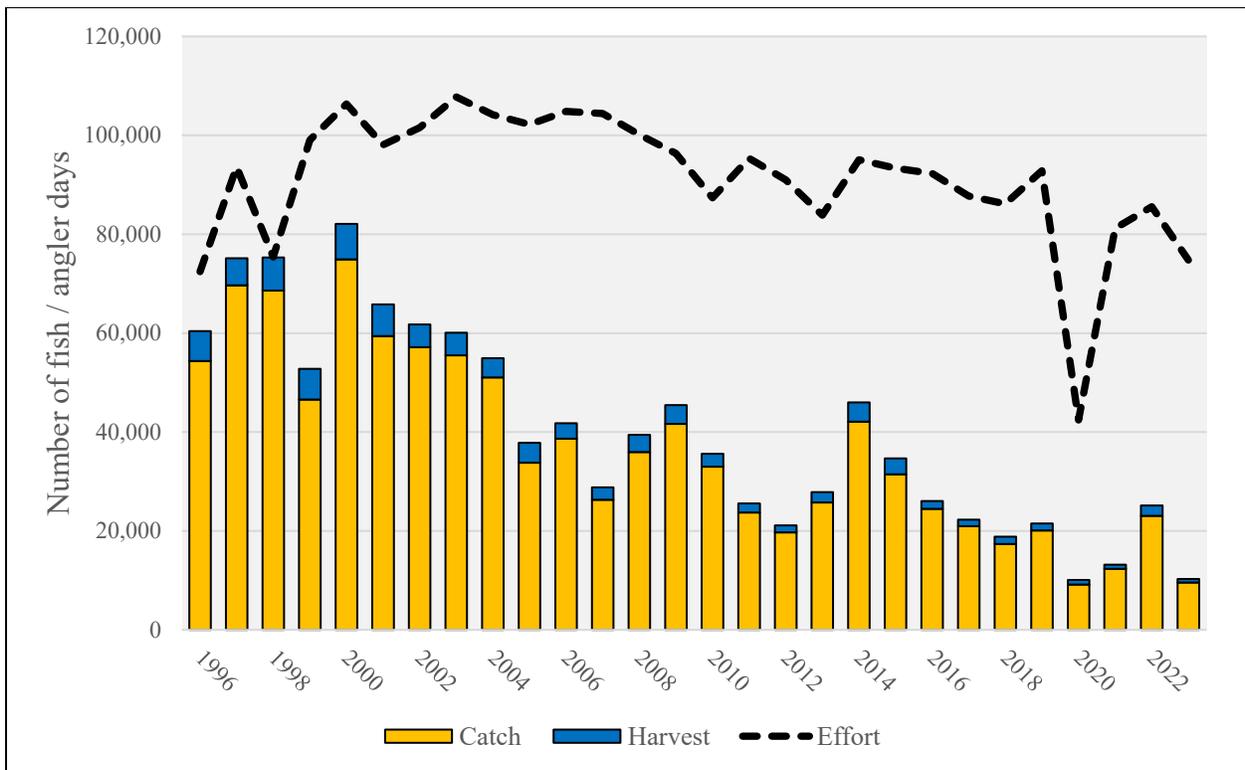


Figure 143-1.—Statewide Harvest Survey estimates of freshwater effort in angler-days, catch and harvest of rainbow and cutthroat trout combined in Southeast Alaska, 1996–2023.

PROPOSAL 145 – 5 AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Klawock Fish & Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Increase Klawock River drainage combined rainbow and cutthroat trout bag and possession limits from 2 to 4 fish and lower the minimum length of harvest from 14 inches to 11 inches.

WHAT ARE THE CURRENT REGULATIONS? In the Klawock River drainage, the bag and possession limit for cutthroat and rainbow trout, in combination, is 2 fish no less than 14 inches and no greater than 22 inches in length. There is no annual limit and no closed season.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would increase harvest opportunity for rainbow and cutthroat trout in the Klawock River drainage by increasing the bag and possession limit and lowering the minimum size limit.

BACKGROUND: Department and public concerns in the 1990s regarding declining catches and smaller size of cutthroat trout in Southeast Alaska resulted in the adoption of conservative regulations by the board in 1994. Due to its proximity to the communities of Klawock and Craig, the Klawock River drainage was categorized as a “high-use water” with a minimum length regulation of 14 inches. Bait is prohibited in the drainage except for a section of the Klawock River from September 15 through October 15 to reduce hooking mortality of trout but still allow opportunity for fall coho salmon fishing with bait. Current Klawock River drainage trout regulations meet the conservative standards set forth in the *Statewide Management Standards for Wild Trout* (5 ACC 75.220) and the *Policy for the Management of Sustainable Wild Trout Fisheries* (5 ACC 75.222) adopted by the board in 2003. The *Statewide Management Standards for Wild Trout* does allow for “the liberalization of harvest opportunities for trout in bodies of water” under *Special management areas and liberal harvest opportunities for trout* (5 AAC 75.210).

The Statewide Harvest Survey receives insufficient response rates to determine the number of trout caught and harvested from the Klawock River drainage on Prince of Wales Island (POW). The catch and harvest of combined rainbow and cutthroat trout in POW freshwaters has declined since 2003 (Figure 145-1). The recent 10-year average (2014–2023) Statewide Harvest Survey estimates of combined trout catch and harvest for POW freshwaters has averaged 4,878 and 338, respectively (Figure 145-1). During this period approximately 93% of trout were released and cutthroat trout comprised 56% of the combined trout catch. POW freshwater angling effort (angler-days) has varied since the early 2000s but cannot be stratified into effort only targeting trout (Figure 145-1). The department attributes the decline in catch and harvest of trout to reduced angler interest in targeting trout and increased expense to access remote lakes.

The department is currently conducting a multi-year research project to evaluate trout populations in a selection of lakes across Southeast Alaska. This study began in 2018 and is designed to evaluate the status of trout populations while informing the development of potential changes to management provisions for trout in Southeast Alaska. The department will study the Klawock Lake trout population in 2025. This study is strategically aligned to present results and provide recommendations for the 2028 Southeast Alaska board cycle.

DEPARTMENT COMMENTS: The department **OPPOSES** increasing the trout bag limit but **SUPPORTS** lowering the minimum size limit to 11 inches. This would provide additional harvest opportunity and align Klawock River drainage regulations with Southeast Alaska general trout regulations that meet the standards for conservative management the board established for Southeast Alaska in the *Statewide Management Standards for Wild Trout (5 ACC 75.220)*. The department does not have Klawock River drainage trout information and recommends completing currently planned trout research before changing bag limits.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

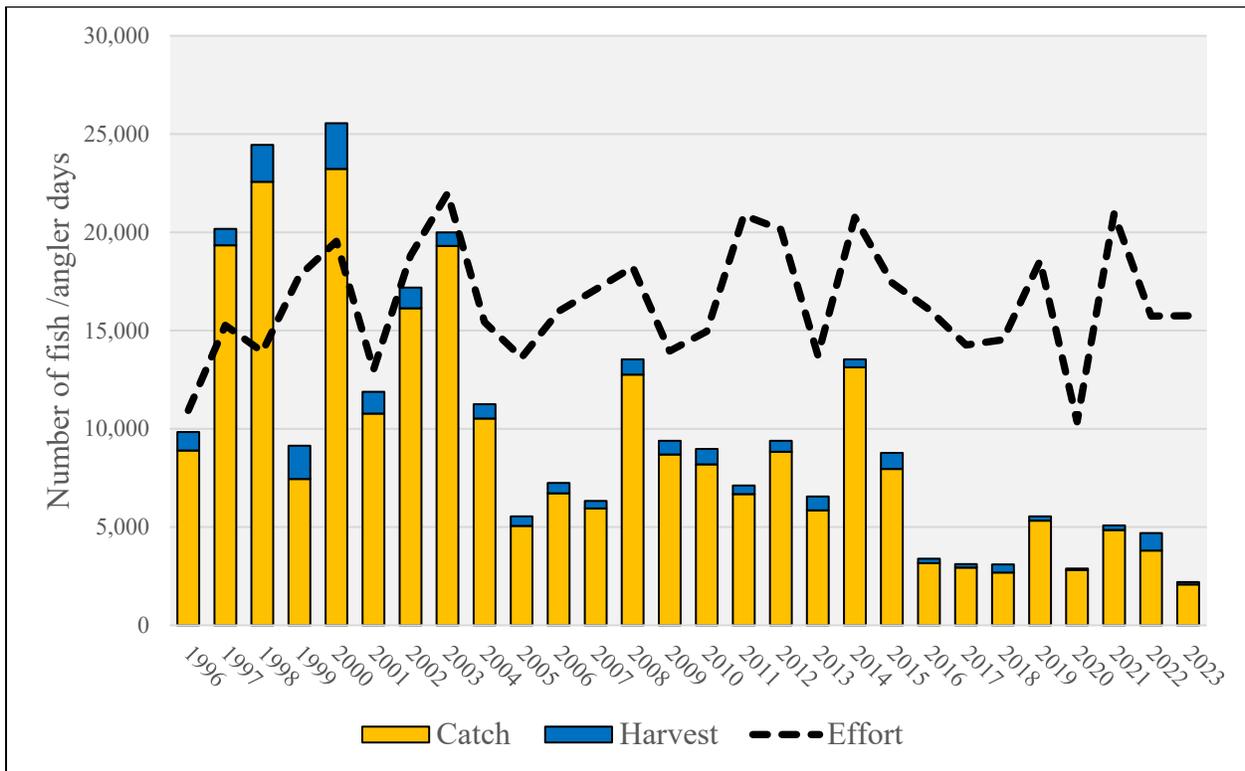


Figure 145-1.—Statewide Harvest Survey estimates of freshwater effort in angler-days, catch and harvest of rainbow and cutthroat trout combined for POW, 2003–2023.

PROPOSAL 146 – 5 AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: East Prince of Wales Fish & Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Increase 108 Creek drainage combined rainbow and cutthroat trout bag and possession limits from 2 to 4 fish.

WHAT ARE THE CURRENT REGULATIONS? In the 108 Creek drainage, the bag and possession limit for cutthroat and rainbow trout, in combination, is 2 fish no less than 11 inches and no greater than 22 inches in length. There is no annual limit and no closed season and the use of bait is prohibited.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would increase harvest opportunity for rainbow and cutthroat trout in the 108 Creek drainage by increasing the bag and possession limit.

BACKGROUND: In 1994 the board responded to department and public concerns of declining catches and smaller size of cutthroat trout in Southeast Alaska by adopting conservative regulations for cutthroat and rainbow trout and a regionwide management strategy. Current 108 Creek drainage trout regulations are consistent with the conservative standards set forth in the *Statewide Management Standards for Wild Trout* (5 ACC 75.220) and the *Policy for the Management of Sustainable Wild Trout Fisheries* (5 ACC 75.222) adopted by the board in 2003. The *Statewide Management Standards for Wild Trout* does allow for “the liberalization of harvest opportunities for trout in bodies of water” under *Special management areas and liberal harvest opportunities for trout* (5 AAC 75.210).

The 108 Creek drainage supports rainbow and cutthroat trout and is comprised of 2 lakes and connecting creeks. The Statewide Harvest Survey receives insufficient response rates to determine the number of trout caught from the 108 Creek drainage on Prince of Wales Island (POW). The catch and harvest of combined rainbow and cutthroat trout in POW freshwaters has declined since 2003 (Figure 145-1). The recent 10-year average (2014–2023) Statewide Harvest Survey estimates of combined trout catch and harvest for POW freshwaters has averaged 4,878 and 338, respectively (Figure 145-1). During this period approximately 93% of trout were released and cutthroat trout comprised 56% of the combined trout catch. POW freshwater angling effort (angler-days) has varied since the early 2000s but cannot be stratified into effort only targeting trout (Figure 145-1). The department attributes the decline in catch and harvest of trout to reduced angler interest in targeting trout and increased expense to access remote lakes.

The department is currently conducting a multi-year research project to evaluate trout populations in a selection of lakes across Southeast Alaska. This study began in 2018 and is designed to evaluate the status of trout populations while informing the development of potential changes to management provisions for trout in Southeast Alaska. This study is strategically aligned to present results and provide recommendations for the 2028 Southeast Alaska board cycle.

DEPARTMENT COMMENTS: The department **OPPOSES** increasing the 108 Creek drainage bag limit for trout. The drainage supports multiple trout populations. The department does not have 108 Creek drainage trout population information to support increased harvest opportunity. This regulation would deviate from current regionwide trout regulations that meet the standards for

conservative management the board established for Southeast Alaska in the *Statewide Management Standards for Wild Trout* (5 ACC 75.220). The department recommends completing the current ongoing research that will be used to inform potential changes to the management provisions for trout and returning to the board with recommendations in 2028.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 147 – 5 AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: East Prince of Wales Fish & Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Increase Neck Lake combined rainbow and cutthroat trout bag and possession limits from 2 to 4 fish. Bait would be prohibited year-round.

WHAT ARE THE CURRENT REGULATIONS? In Neck Lake, the bag and possession limit for cutthroat and rainbow trout, in combination, is 2 fish no less than 11 inches and no greater than 22 inches in length. There is no annual limit and no closed season. The use of bait is allowed September 15 through November 15.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would increase harvest opportunity for cutthroat trout in Neck Lake by increasing the bag and possession limit while bait would be prohibited year-round.

BACKGROUND: In 1994, the board responded to department and public concerns of declining catches and smaller size of cutthroat trout in Southeast Alaska by adopting conservative regulations for cutthroat and rainbow trout and a regionwide management strategy. Current Neck Lake trout regulations are consistent with the conservative standards set forth in the *Statewide Management Standards for Wild Trout* (5 ACC 75.220) and the *Policy for the Management of Sustainable Wild Trout Fisheries* (5 ACC 75.222) adopted by the board in 2003. The *Statewide Management Standards for Wild Trout* does allow for “the liberalization of harvest opportunities for trout in bodies of water” under *Special management areas and liberal harvest opportunities for trout* (5 AAC 75.210).

The Statewide Harvest Survey receives insufficient response rates to determine the number of trout caught from Neck Lake on Prince of Wales Island (POW). The catch and harvest of combined rainbow and cutthroat trout in POW freshwaters has declined since 2003 (Figure 145-1). The recent 10-year average (2014-2023) Statewide Harvest Survey estimates of combined trout catch and harvest for POW freshwaters has averaged 4,878 and 338, respectively (Figure 145-1). During this period approximately 93% of trout were released and cutthroat trout comprised 56% of the combined trout catch. POW freshwater angling effort (angler-days) has varied since the early 2000s but cannot be stratified into effort only targeting trout (Figure 145-1). The department attributes the decline in catch and harvest of trout to reduced angler interest in targeting trout and increased expense to access remote lakes.

The department is currently conducting a multi-year research project to evaluate trout populations in a selection of lakes across Southeast Alaska. This study began in 2018 and is designed to evaluate the status of trout populations while informing the development of potential changes to management provisions for trout in Southeast Alaska. This study is strategically aligned to present results and provide recommendations for the 2028 Southeast Alaska board cycle. Neck Lake has an isolated cutthroat trout population due to a barrier falls at the outlet that prevents upstream fish passage. The Neck Lake cutthroat trout population was assessed in 2018 and the department estimated a population of approximately 5,000 cutthroat trout, that was approximately 1,800 more cutthroat trout than an assessment that occurred in 1998. In 2018, 14% of the cutthroat trout population was greater than 11 inches and available for harvest under current regulations.

DEPARTMENT COMMENTS: The department **SUPPORTS** increasing the Neck Lake bag limit for trout. The cutthroat trout population is healthy and isolated. This proposal would create a unique area-specific regulation, complicating trout regulations in Southeast Alaska, but based on recent research, the department does not have biological concerns for the Neck Lake trout resource and additional harvest opportunity can be provided. Neck Lake is currently managed under the regionwide regulations that allow for the use of bait from September 15 through November 15. This bait window is primarily intended to provide additional opportunity for coho salmon in freshwater fisheries but no coho salmon are present in Neck Lake due to the barrier falls. Prohibiting the use of bait reduces catch-and-release mortality but can decrease angler efficiency.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 148 – 5 AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Repeal the minimum size requirement of 25 inches or greater for cutthroat trout in Eagle Lake (5 AAC 47.023 (h)(6)) in order to align with general provisions in Southeast Alaska (SEAK) that allow for a bag and possession of 2 cutthroat trout no less than 11 inches and no greater than 22 inches in length.

WHAT ARE THE CURRENT REGULATIONS? In Eagle Lake, the bag and possession limit for cutthroat trout is 1 fish, that must be 25 inches or greater in length. There is no closed season, and bait is prohibited year-round.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The general provisions for trout in SEAK (5 AAC 47.023(b)(3)) will now apply in Eagle Lake. The bag and possession limit for cutthroat and rainbow trout, in combination, would now be 2 fish no less than 11 inches and no greater than 22 inches in length. There would be no annual limit and no closed season. The use of bait would be allowed September 15-November 15. These management provisions are consistent with *Statewide Management Standards for Wild Trout* (5 AAC 75.220).

BACKGROUND: In 1993 ADF&G biologists conducted public surveys throughout SEAK to discuss concerns of the angling public and concluded nearly 60% favored special restrictions for the 13 lakes in SEAK that are known for their trophy-size cutthroat trout. The new SEAK trout regulations were adopted by the board in early 1994.

The department is currently conducting a multi-year research project to evaluate trout populations in a selection of lakes across SEAK. This study began in 2018 and is designed to evaluate the status of trout populations while informing the development of potential changes to management provisions for trout in SEAK. In 2023, the department assessed the cutthroat trout population in Eagle Lake and found an abundant cutthroat trout population, although no cutthroat over 25 inches was found after sampling more than 1,100 individual fish. Rainbow trout were not observed in Eagle Lake.

Sport fishing effort and harvest in Eagle Lake is low. Responses to the Statewide Harvest Survey (SWHS) for anglers reporting fishing in Eagle Lake are insufficient to supply effort and harvest information. Eagle Lake can be accessed only by floatplane. The lake has 1 US Forest Service cabin and in the last 5 years (2018–2023) show an average occupancy of less than 5 days a year.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The current regulations are unnecessarily conservative and additional harvest opportunity could be provided. The department continues to complete the ongoing research that will be used to inform potential changes to the regionwide trout management strategy. Additional opportunity can be provided in Eagle Lake while continuing to be consistent with the *Statewide Management Standards for Wild Trout*.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 149 – 5 AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Juneau Douglas Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would prohibit the use of bait and establish a catch-and-release fishery for trout using only single barbless hooks within Peterson Creek.

WHAT ARE THE CURRENT REGULATIONS? Bait is allowed in Peterson Creek from September 15 through November 15, outside of this time only unbaited, artificial lures or flies may be used. In Peterson Lagoon (Salt Chuck) only unbaited, artificial lures or flies may be used year-round. The retention of steelhead is prohibited in Peterson Creek. The bag and possession limit for cutthroat and rainbow trout (in combination) is 2 per day, 2 in possession with a 14-inch minimum and 22-inch maximum size limit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Harvest opportunity for trout would be eliminated. Prohibiting the use of bait may reduce harvest for coho salmon in years when retention of coho salmon is permitted in Peterson Creek.

BACKGROUND: Peterson Creek is a road accessible stream located 19 miles northwest of Juneau. The creek supports populations of coho salmon, pink salmon, chum salmon, steelhead, cutthroat trout, and Dolly Varden and is a popular sport fishing location in Juneau. Peterson Creek has been closed to all sport fishing by emergency order from April 1 through June 30 since 2019 due to a decline in steelhead escapement. Additionally, coho salmon fishing has been closed from September 1 through December 31 since 2022 after coho salmon have failed to meet the biological escapement goal (BEG) of 100–250 fish from 2020 to 2022. Peterson Creek met the BEG in 2023 and 2024.

Studies have documented that mortality of released fish is largely dependent on hook placement, fish handling, and angler experience. Studies indicate that the use of bait results in ingestion and deeper hook placement causing a higher mortality rate than when using unbaited terminal gear (i.e., treble, single, circle, and/or barbless). To reduce release mortality in Southeast Alaska freshwater fisheries, the use of bait is prohibited for 10 months allowing for a 2-month period during the fall coho salmon season when bait may be used.

The 14-inch minimum and 22-inch maximum size limit for rainbow and cutthroat trout protects the majority of all cutthroat trout until they can spawn at least once and protects juvenile steelhead (rainbow) trout from harvest before they migrate to the ocean.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Emergency order authority is being used to close the sport fishery for the duration of the steelhead season that also provides additional protection to trout. The trout minimum size limit allows for trout to spawn at least 1 time before entering the harvestable size range. This would add unnecessary complexity to regulations and reduce harvest opportunities for cutthroat trout in the absence of a conservation concern. The department will continue to use emergency order authority to protect returning steelhead and coho salmon as needed. If adopted, the department seeks clarification on the use of single barbless hooks and whether that would apply for all sport fishing in Peterson Creek.

COST ANALYSIS: The adoption of this proposal will result in an increased cost for a private person to participate in this fishery because existing gear would have to be replaced with barbless hooks. Approval of this proposal is not expected to result in an additional cost to the department.

YAKUTAT AREA (7 PROPOSALS)

PROPOSAL 150 – 5 AAC 01.660 (b). Fishing seasons and periods.

PROPOSED BY: Yakutat Tlingit Tribe.

WHAT WOULD THE PROPOSAL DO? This would change the weekly subsistence salmon fishing start time from 6:00 a.m. to 12:01 a.m. and the end time from 6:00 p.m. to 11:59 p.m.

WHAT ARE THE CURRENT REGULATIONS? From the beginning of the commercial salmon net season through the end of the commercial salmon net season, the weekly subsistence fishing period is from 6:00 a.m. Friday to 6:00 p.m. Saturday, unless extended by emergency order. This subsection applies to each river and by fishery individually.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The Yakutat area subsistence fishery could open for 2 days per week during the commercial net season, increasing opportunity for subsistence users to harvest salmon. By providing this half day of additional time, fishing effort and harvest may increase.

BACKGROUND: Salmon has a long history of use in Southeast Alaska and is a crucial component of subsistence harvests. In Yakutat, Alaska, subsistence fishing is not only a tradition, but also a vital lifeline for the community, having been practiced for generations and long before permits were required. The Alaska Department of Fish and Game introduced subsistence permits in 1989 for the Yakutat Area, and since then members of the community have obtained subsistence permits to continue the cultural tradition of harvesting salmon. The natural abundance of fish in the region has historically provided the community with a reliable food source.

The unpredictability of tides and adverse weather conditions can significantly impact fishing opportunities. These factors often limit the effectiveness of short open periods, making it challenging for families to gather enough fish to sustain themselves throughout the year. Longer open periods for subsistence fishing could accommodate these environmental challenges, allowing community members to fish when conditions are favorable.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal, because it provides additional opportunity for subsistence users in the Yakutat Area to meet their subsistence needs.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined under 5 AAC 01.666(a)(3) salmon in fresh water upstream from the terminus of streams and rivers of the Yakutat Area from the Doame River to the Tsiu River, in waters of Yakutat Bay and Russell Fjord inside a line from the Westernmost point of Ocean Cape, and in the waters of Icy Bay inside a line from the westernmost tip of Point Riou to Icy Cape Light are customarily and traditionally taken or used for subsistence.

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established a range of 5,800–7,832 salmon that are reasonably necessary for subsistence uses for (5 AAC 01.66(a)(3)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

PROPOSAL 151 – 5 AAC 47.022. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area. and 5 AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would modify the nonresident annual limit for king salmon in the fresh waters of the Yakutat Area and the Situk River to 2 king salmon, 20 inches or greater in length, per year. King salmon harvested in Yakutat Area fresh waters by nonresidents would not count towards that nonresident’s annual harvest limit established by the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055).

WHAT ARE THE CURRENT REGULATIONS? Nonresident king salmon annual limits for freshwaters are established by the *Southeast Alaska King Salmon Management Plan* (KSMP), that directs the management of the Southeast Alaska king salmon sport fishery in marine waters. Nonresident annual limits are determined based on allocation available to the sport fishery and range from 1 to 3 fish annually. Minimum length requirements in the Yakutat Area fresh waters would continue to be 20 inches or greater.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would establish consistent annual limits for nonresidents who fish the fresh waters of the Yakutat Area. Annual limits would not be linked to the KSMP. This would not impact the department’s ability to use emergency order authority to restrict the sport fishery for conservation purposes.

BACKGROUND: The nonresident annual limit for king salmon in the fresh waters of the Yakutat Area currently mirror those established by the provisions of the KSMP. Under this management plan, nonresident annual limits are established according to the annual allocation of king salmon to the sport fishery as determined by the *Allocation of king salmon in the Southeastern Alaska-Yakutat Area* (5 AAC 29.060) and the terms of the Pacific Salmon Treaty. The annual limits established to achieve the objectives of the KSMP may not be appropriate management measures for king salmon runs in the Yakutat Area fresh waters. The freshwater harvest of king salmon in the Yakutat Area occurring on nontransboundary rivers is not subject to the terms of the Pacific Salmon Treaty.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Establishing a nonresident annual limit of 2 king salmon, 20 inches or greater, provides a consistent management regime independent of the KSMP, while continuing to limit the harvest potential for nonresident anglers on these relatively small king salmon systems.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 152 – 5 AAC 30.365. Situk-Ahrnklin Inlet and Lost River King Salmon Fisheries Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This seeks to amend the *Situk-Ahrnklin Inlet and Lost River King Salmon Fisheries Management Plan* to reflect recent management strategies.

WHAT ARE THE CURRENT REGULATIONS? The *Situk-Ahrnklin Inlet and Lost River King Salmon Fisheries Management Plan* uses “projected” estimates of escapement to direct the department on how to manage the sport, commercial, and subsistence fisheries in the Situk-Ahrnklin estuary and the Situk River proper.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Sport, commercial, and subsistence fisheries would be managed based on actual weir counts versus projected escapement. Fishing for king salmon would be prohibited until at least 450 large king salmon have passed the Situk weir. When 450 large king salmon have passed the weir, limited harvest opportunity may be provided and the proposed plan includes a provision that provides a priority to subsistence fisheries over sport and commercial fisheries. This proposal would close sport fishing for king salmon upstream of the weir until 1,050 large king salmon have passed the weir. It would also update the southern boundary of the Situk River troll fishery closure area to provide consistency with 2018 board action taken on 5 AAC 29.100, that addressed a change in the location of the terminus of the river mouth and updates for the location of coordinates along the 3-nautical-mile limit line.

BACKGROUND: In recent years, the department has been more conservative in the early season than the management plan calls for, given the period of low productivity observed for king salmon in the Situk River and across Southeast Alaska. This has included being more restrictive in the management of the subsistence and commercial gillnet fisheries and using emergency order authority to proactively close the sport fishery for king salmon to ensure the biological escapement goal is met. This proposal would more closely align the management plan with the management actions the department has implemented in recent years. Since 2005 the department has restricted fisheries to achieve the king salmon escapement goal and in recent years has closed fisheries pre-season to help ensure escapement goals for king salmon are achieved (Figure 151-1; Figure 152-1). The Situk River king salmon run is relatively small in magnitude and the performance of escapement projections has been variable in recent years. Basing management actions on the number of king salmon that pass the weir is a more reliable management approach that will better align harvest opportunity with abundance of king salmon returning to the Situk River.

There is a small discrepancy between the domestic biological escapement goal (450 –1050) and the escapement goal accepted by the Pacific Salmon Commission (500-1000). While the codified language within this proposal references the domestic biological escapement goal, management action will be implemented to achieve the Treaty specified goal.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined under 5 AAC 01.666(a)(3) salmon in fresh water upstream from the terminus of streams and rivers of the Yakutat Area from the Doame River to the Tsiu River, in waters of Yakutat Bay and Russell Fjord inside a line from the Westernmost point of Ocean Cape, and in the waters of Icy Bay inside a line from the westernmost tip of Point Riou to Icy Cape Light are customarily and traditionally taken or used for subsistence.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established a range of 5,800–7,832 salmon that are reasonably necessary for subsistence uses (5 AAC 01.66(a)(3)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

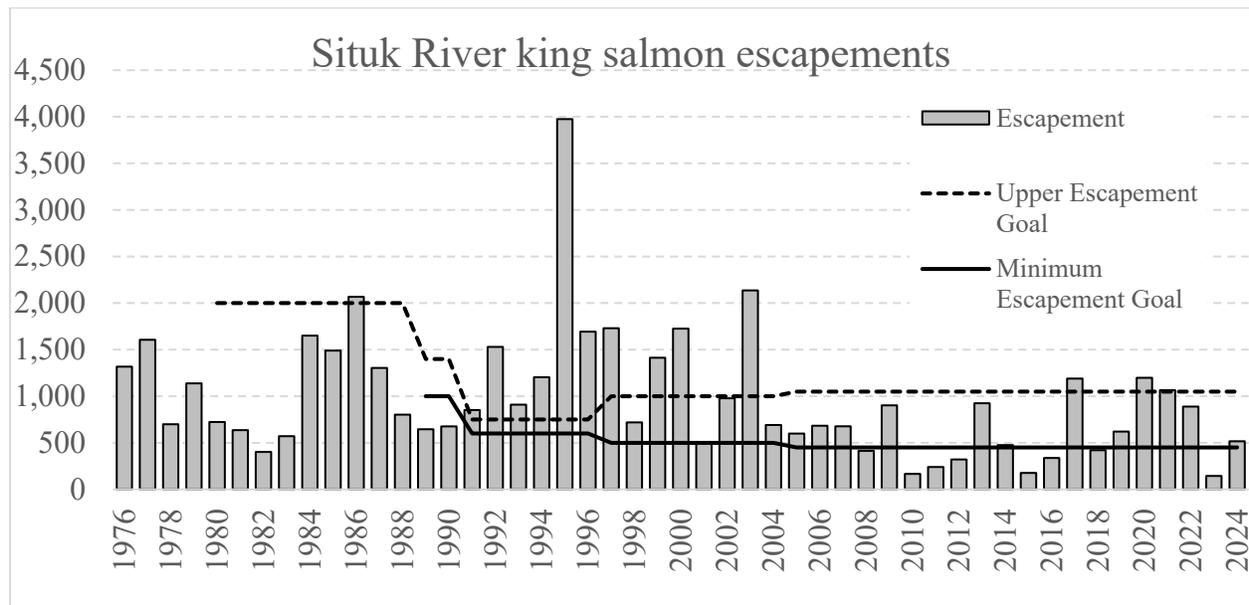


Figure 152-1.–Situk River king salmon biological escapement goal and observed escapement, 1976–2024.

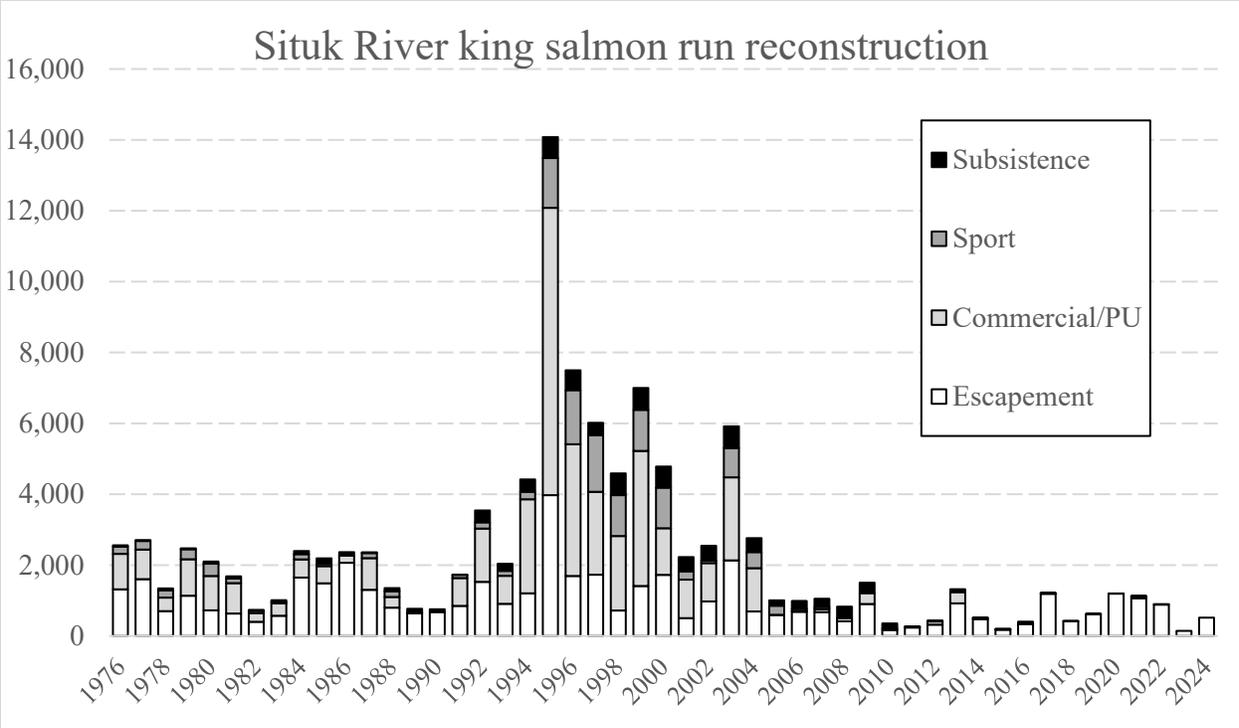


Figure 152-2.—Situk River king salmon run reconstruction, 1976–2024.

PROPOSAL 153 – 5 AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area. and 5 AAC 30.365. Situk-Ahrnklin Inlet and Lost River King Salmon Fisheries Management Plan.

PROPOSED BY: Yakutat Tlingit Tribe.

WHAT WOULD THE PROPOSAL DO? This would close sport fishing in the Situk River – 50 yards upstream and 50 yards downstream of the 9-Mile Bridge on Forest Highway 10, from June 1 – August 15 until the upper end of the king salmon escapement goal of 1,050 is met.

WHAT ARE THE CURRENT REGULATIONS? This section of the Situk river is open to sport fishing year-round.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Sport fishing would be closed in a relatively small area with high historical use given its ease of access. Closing this area could have positive effects of protecting the numerous king salmon that hold in the man-made deep-water hole adjacent to the boat ramp but eliminate harvest opportunity for sockeye salmon at this location.

BACKGROUND: The area in question is near the 9-mile bridge where there is an active boat launch/parking/camping area (Figure 153-1). This location receives a large amount of effort due to its ease of access and can be a highly congested area during peak periods during the sockeye salmon fishery. Due to the deep-water under and downstream of the bridge, large numbers of king and sockeye salmon hold in this location throughout the run. As a result, large numbers of anglers pursue sockeye salmon in this small area and in the process inadvertently hook king salmon. The department has been taking conservative management action in the sport fishery for Situk River king salmon since 2005 to achieve the escapement goal (Figure 151-1).

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. This action is expected to reduce incidental mortality of king salmon and reduce congestion in the vicinity of the boat launch. Angler opportunity for sockeye salmon will be reduced but additional fishing area is available immediately upstream and downstream of this location. If adopted, this provision could be added to the *Situk-Ahrnklin Inlet and Lost River King Salmon Fisheries Management Plan* as a provision that would apply before the upper end of the escapement goal for king salmon has been reached. The department suggests a start date of June 15 versus June 1 as very few, if any, king salmon would be in the area until that date.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

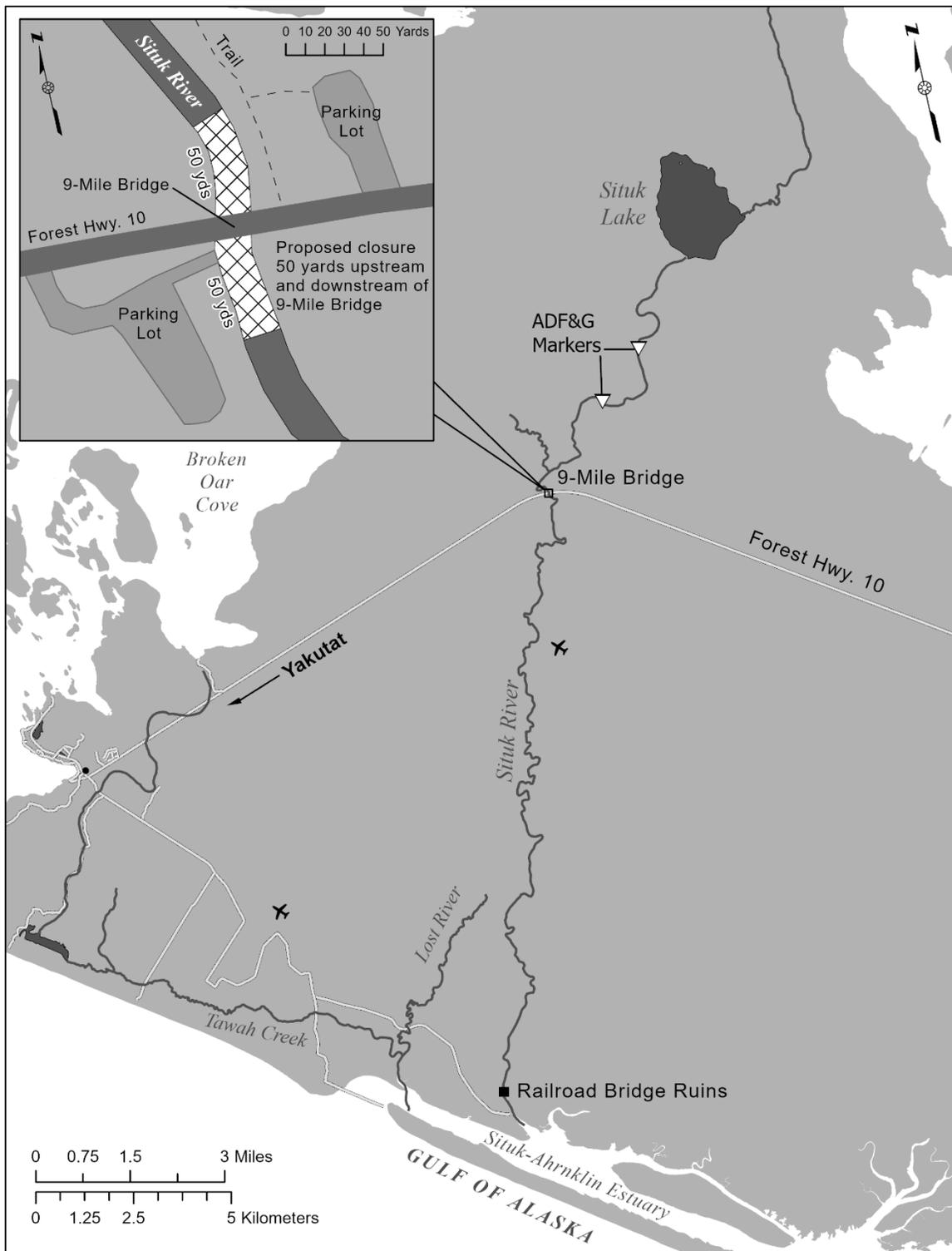


Figure 153-1.—Map of proposed closed area on the Situk River.

PROPOSAL 154 – 5 AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Yakutat Tlingit Tribe.

WHAT WOULD THE PROPOSAL DO? This would close an additional 4 river miles to sport fishing in the Situk River from ADF&G regulatory markers located at the West Fork of the Situk confluence to ADF&G regulatory markers located at the outlet of Situk Lake (Figure 154-1), from April 15 to May 15.

WHAT ARE THE CURRENT REGULATIONS? An approximately 2-mile section of the Situk River is closed to fishing to protect spawning steelhead trout from April 15 to May 15 (Figure 154-1). The steelhead minimum size limit is 36 inches, bag limit of 1, possession limit of 2, and annual limit of 2. Only unbaited, artificial lures or flies may be used, single hooks only, bait is prohibited.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Additional area is closed to sport fishing in the upper Situk River for 1 month during the steelhead season, reducing angling pressure on spawning steelhead. A large number of steelhead anglers may be displaced to other areas of the Situk River.

BACKGROUND: The proposed closed area is upstream of the 9-mile bridge where there is an active boat launch/parking/camping area. This area receives a large amount of effort that is facilitated by an angler trail and can be heavily utilized during peak periods of the steelhead fishery. Steelhead spawning occurs throughout the entire Situk River, although certain areas are more ideal for spawning than others. In 2000, the board adopted a proposal to close a 2-mile section of the upper Situk River to all sport fishing from April 15 to May 15 to protect spawning steelhead. The current closed area encompasses an area that has historically seen a high density of spawning fish and is the reason it was selected. Sport fishing effort on the Situk River has remained stable since the mid-1990's, with a recent 10-year average of 15,788 angler-days and an average catch of 5,953 steelhead (2014–2023; Statewide Harvest Survey). Steelhead are rarely harvested in the sport fishery. Steelhead counts in the Situk River have ranged from 2,526 to 15,003 (Figure 154-2).

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department believes the conservative regulations with limited harvest opportunity, combined with the existing spawning area closure, is sufficient protection given current trends in steelhead abundance.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

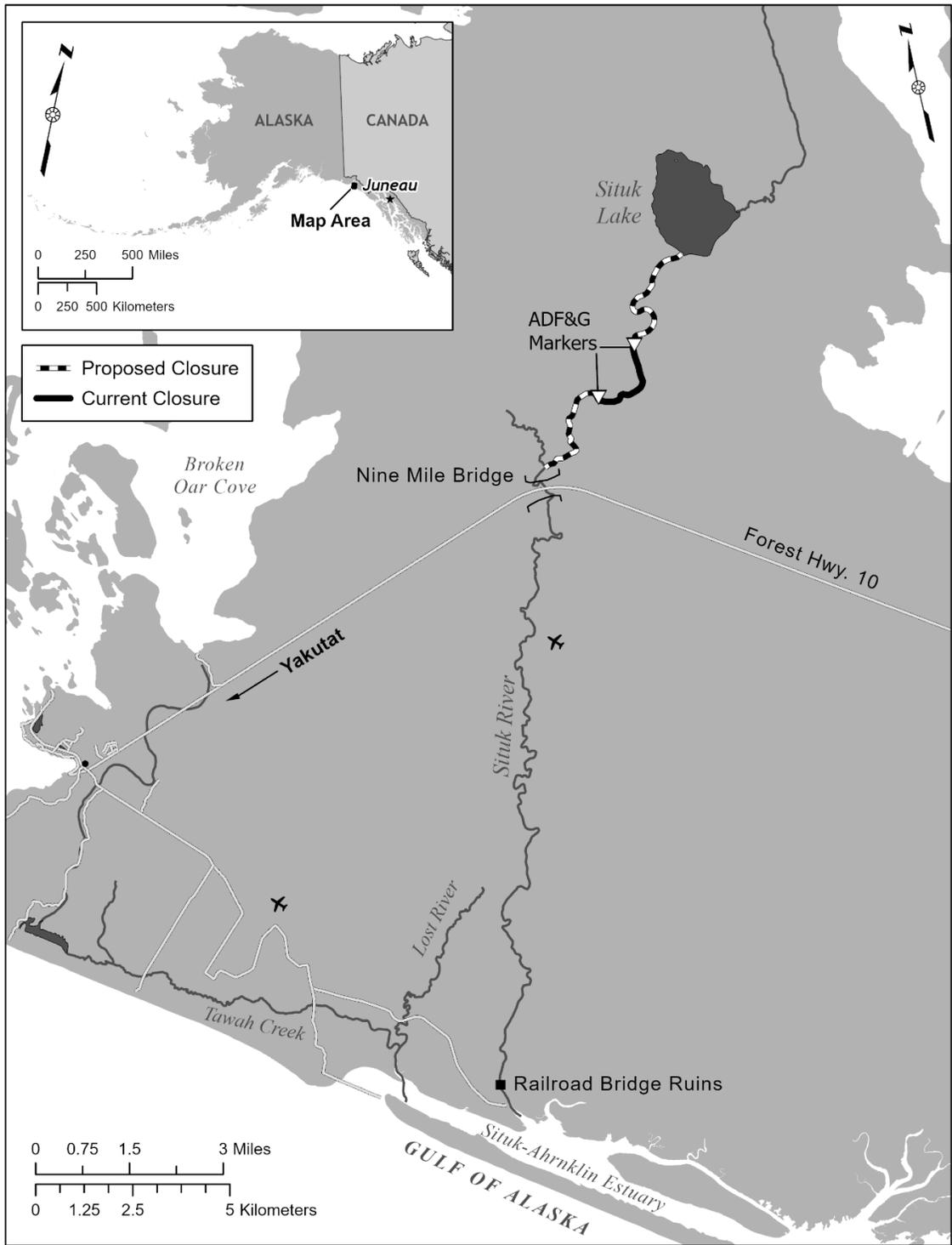


Figure 154-1.—Map of the Situk River and proposed closed area.

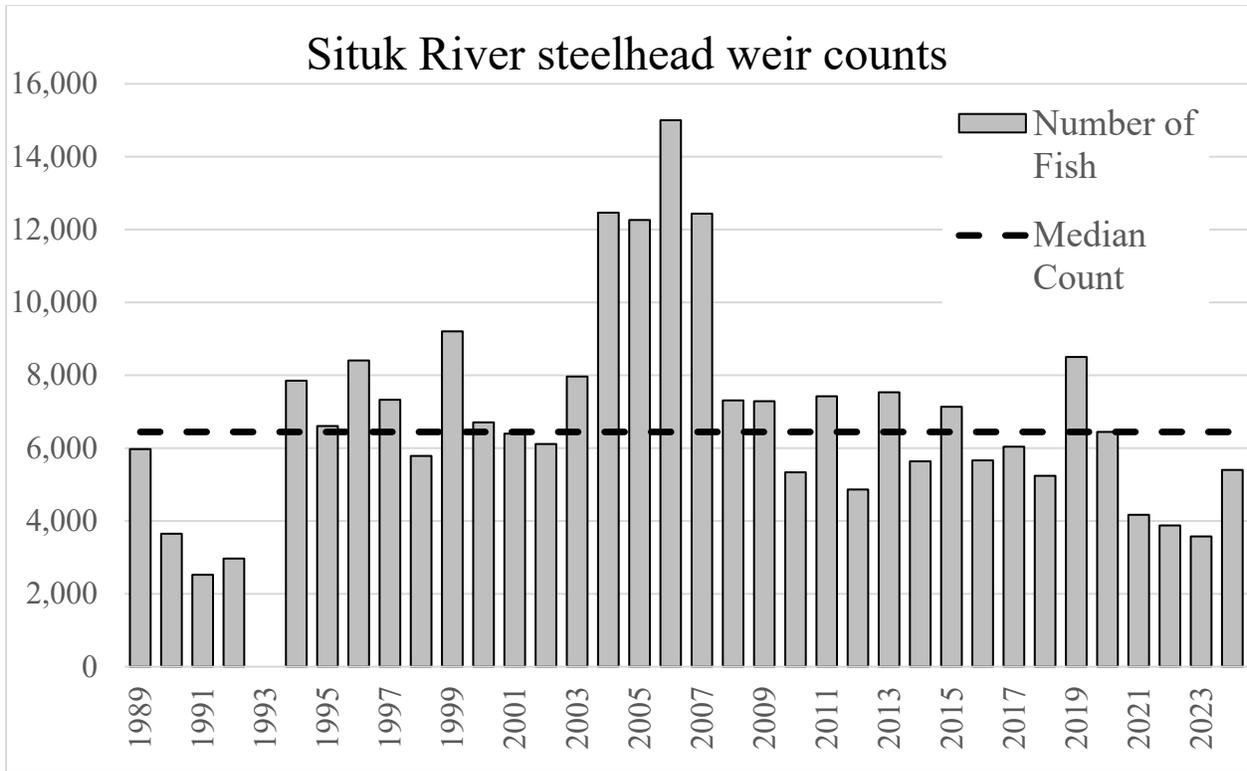


Figure 154-2.—Situk River steelhead weir counts, 1989–2024.

PROPOSAL 155 – 5 AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This seeks to increase the sport fish bag and possession limit for sockeye salmon in the freshwaters flowing into the Situk-Ahrnklin estuary to 6 fish per day, twelve in possession.

WHAT ARE THE CURRENT REGULATIONS? The sport fish bag and possession limits for sockeye salmon in the freshwaters flowing into the Situk-Ahrnklin estuary are 3 per day and 6 in possession.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would increase harvest opportunity for sockeye salmon by sport anglers, primarily in the Situk River.

BACKGROUND: In 2009, the board reduced the bag and possession limit of sockeye salmon in fresh waters flowing into the Situk-Ahrnklin estuary from 6 per day, twelve in possession, to 3 per day, 6 in possession. In the 16 years since 2009, the Situk River has exceeded the upper end of its biological escapement goal of: 30,000 – 70,000 in 11 of those 16 years (Figure 155-1). In 10 of the 11 years the escapement goal was exceeded, emergency order authority was used to increase the bag and possession limit to 6 fish per day, 12 in possession on an average date of July 11 when approximately 54% of the run has passed the Situk River weir. The 10-year average (2014–2023) harvest of sockeye salmon in the Situk River sport fishery is 8,320 (Statewide Harvest Survey).

A State of Alaska subsistence salmon fishery occurs in the Situk-Ahrnklin estuary. A variety of gear is permitted but set gillnets are the primary method used to harvest salmon in this area. There are currently no limits on how many fish individuals can harvest, but the Situk-Ahrnklin estuary 10-year average harvest is 2,300 fish and makes up 85% of the subsistence harvest for the Yakutat Management Area. There is also a Federally managed subsistence fishery that occurs within the Situk River proper. Currently there is very low participation in the federal managed fishery.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Increasing the bag and possession limit for sockeye salmon in freshwaters flowing into the Situk-Ahrnklin estuary would allow increased harvest opportunity throughout the season without the need to issue an emergency order. The department would continue to use emergency order authority to reduce fishing opportunity if inseason data indicated weak run strength.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined under 5 AAC 01.666(a)(3) salmon in fresh water upstream from the terminus of streams and rivers of the Yakutat Area from the Doame River to the Tsiu River, in waters of

Yakutat Bay and Russell Fjord inside a line from the Westernmost point of Ocean Cape, and in the waters of Icy Bay inside a line from the westernmost tip of Point Riou to Icy Cape Light are customarily and traditionally taken or used for subsistence.

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established a range of 5,800–7,832 salmon that are reasonably necessary for subsistence uses for (5 AAC 01.66(a)(3)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

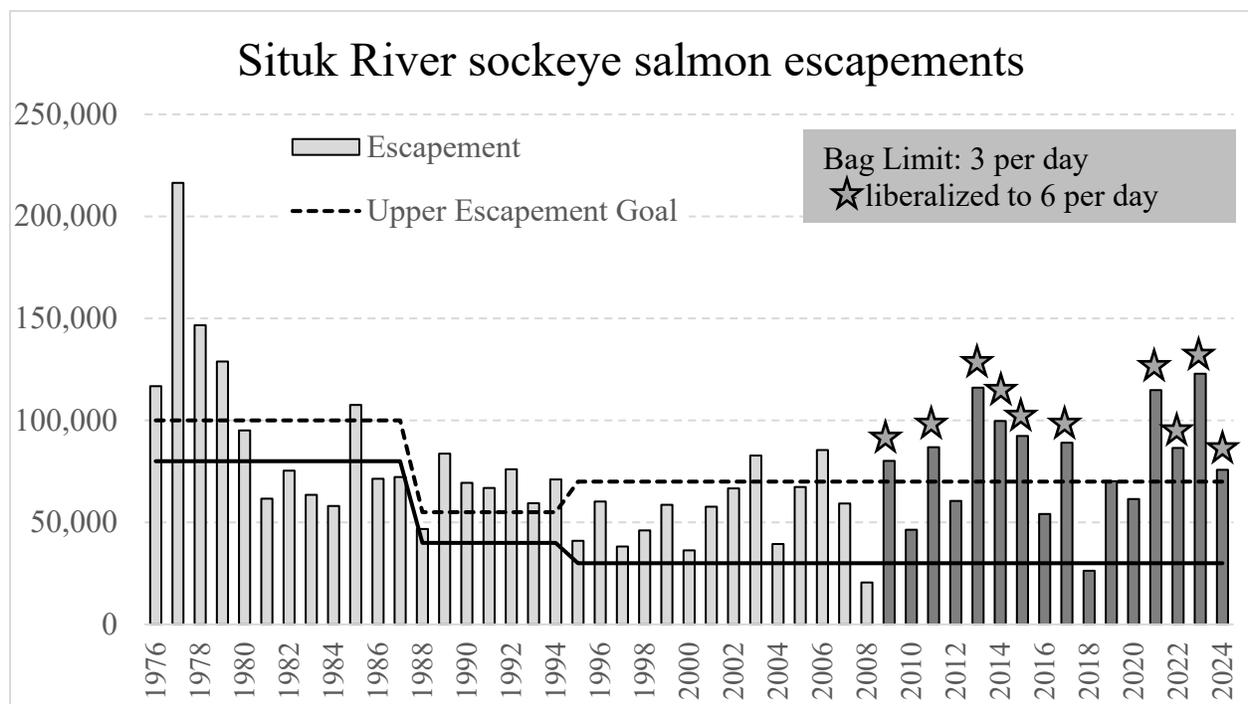


Figure 155-1.—Situk River sockeye salmon biological escapement goal, escapement, and sport fish management actions.

PROPOSAL 170 – 5 AAC 30.350. Closed waters.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would close the waters of Malaspina Lake to commercial fishing.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations closing this area to commercial fishing. The department could use emergency order to close this area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Natal streams within the Malaspina Lake watershed would be protected by regulation and commercial fishermen would be limited to fishing Sudden Stream and the waters around the mouth in Yakutat Bay.

BACKGROUND: Malaspina Glacier has been slowly retreating for the last 50 years and has created new streams for salmon to colonize. As the Malaspina Glacier continues to retreat, the newly formed streams and the resulting ecological transformations present both opportunities and challenges for local salmon populations. The area's potential for rich biodiversity is shown by all 5 species of salmon being present. Among the 5 species of salmon that make use of the Malaspina Lake watershed, sockeye salmon has emerged as the predominant species.

All 5 species of salmon have documented harvest in the Sudden Stream setnet fishery, but sockeye salmon lead in numbers of harvest. The Sudden Stream setnet fishery officially began in 1980, with actual harvests commencing in 1986. Since then, the fishery has operated annually, consistently contributing to local fisheries, with an average annual harvest of 1,599 sockeye salmon. In 2016, a total of over 10,000 sockeye salmon were harvested from Sudden Stream, a significant contribution to the area's fisheries.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. To ensure the long-term health of the salmon populations and the overall ecosystem of the Malaspina Lake watershed, it is essential to consider closing the waters to commercial fishing by regulation. This action would protect these vital habitats and allow for the natural recovery and growth of salmon stocks. A closure of Malaspina Lake would not only help sustain salmon populations but also preserve the delicate balance of the newly formed waterways.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

ENHANCEMENT AND TERMINAL HARVEST AREAS (9 PROPOSALS)

PROPOSAL 156 – 5 AAC 33.364. Southeast Alaska Area Enhanced Salmon Allocation Management Plan.

PROPOSED BY: Virgil Umphenour.

WHAT WOULD THE PROPOSAL DO? Reduce the current permitted capacity of pink and chum salmon at each Northern Southeast Regional Aquaculture Association (NSRAA), Armstrong Keta, Inc (AKI), Sitka Sound Science Center (SSSC), Douglas Island Pink and Chum, Inc (DIPAC), and Southern Southeast Regional Aquaculture (SSRAA) hatchery by 25%.

WHAT ARE THE CURRENT REGULATIONS? Private nonprofit (PNP) hatchery egg-take levels are not set in regulation, rather they are specified on permits issued by the department. The board may, after the issuance of a permit by the commissioner, amend by regulation, 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 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 (AS 16.10.440).

Primary authority over issuance of hatchery permits and regulations of hatchery operations is vested in the commissioner and department. There are several interrelated statutory authorities relating to hatchery production levels (AS 16.10.400–16.10.430).

Each salmon enhancement region has a Comprehensive Salmon Enhancement Plan that outlines production goals by species, area, and time (AS 16.10.375; 5 AAC 40.340–370).

PNP hatcheries operate under 4 permitting documents issued by the department: *PNP hatchery permit*, *basic management plan* (BMP), *fish transport permits* (FTP), and *annual management plans* (AMP). Each of these documents are approved by the commissioner.

The *PNP hatchery permit* (AS 16.10.400–16.10.470) authorizes operation of the hatchery and specifies the species, egg source (stock), egg numbers, release location(s), release numbers, and other conditions. Hatchery permits remain in effect unless relinquished by the permit holder or revoked by the commissioner.

The *basic management plan* (BMP; 5 AAC 40.820) is an addendum to the PNP hatchery permit to include a facility development schedule and specifies the stocks for broodstock development, maximum number of eggs of each species that a facility can incubate, and the authorized release locations, among other conditions.

PNP hatchery permits and BMPs are available for public input through a public hearing that includes an oral and written comment period prior to a determination by the commissioner. The permit and BMP may be amended by the permit holder through a *permit alteration request* (PAR; 5 AAC 40.850). Requested changes are reviewed by the Regional Planning Team (RPT) that allows for public participation and are reviewed by department staff. PARs are sent to the commissioner for consideration of approval.

A *fish transport permit* (FTP; 5 AAC 41.001–41.060) is required for egg collection, transport, and release of live fish. An FTP authorizes specific activities described in the hatchery permit and management plans including broodstock source, gamete collection, and release site, and are consistent with the previously approved guiding documents for the program, such as the PNP

hatchery permit. FTP applications are reviewed by the department fish pathologist, fish geneticist, regional resource development biologist, and other department staff as delegated by the commissioner. Reviewers ensure activities described in the FTP are consistent with department policies and may suggest conditions for the FTP. Reviewers recommend approval or provide concerns, and final consideration of approval is made by the commissioner. FTPs are issued for a fixed period. When an FTP is renewed or amended, the FTP application goes through the same review process as the original FTP. Continual review of hatchery activities provides an ongoing assessment of all hatchery projects over time.

An *annual management plan* (AMP; 5 AAC 40.840) outlines operation for the current year and is written cooperatively among department regional and PNP hatchery staff in a process that is coordinated by the PNP Hatchery Program Coordinator. Typically, AMPs include the current year's egg-take goals, juvenile releases, remaining fish inventory, expected adult returns, harvest management plans, FTPs required or in place, production strategies, and evaluation plans. AMPs must be consistent with the PNP Hatchery Permit and BMP. Final consideration of the plan is made by the commissioner.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? In 2024, PNP salmon hatcheries in the southeast enhancement area are permitted to take up to 128 million pink salmon eggs and 737.8 million chum salmon eggs. The estimated annual exvessel value of pink salmon, including cost-recovery harvest is \$1.2 million (Table 156–1). The estimated annual exvessel value of chum salmon, including cost-recovery harvest is \$52 million (Table 156–2). Capping egg takes at 25% current capacity results in capacities of 96 million pink salmon eggs and 553.35 million chum salmon eggs. It is reasonable to assume the production cut would have a similar percentage cut on the annual average exvessel value, that equates to \$290 thousand less revenue for pink salmon and \$13 million for chum salmon. This would likely have a negative impact on the viability of salmon processing operations in Southeast Alaska, jeopardizing their ability to purchase wild stock salmon harvests and participate in groundfish, shellfish, and herring buying.

BACKGROUND: The southeast enhancement area currently contains 3 hatcheries permitted to produce pink salmon and twelve hatcheries permitted to produce chum salmon.

Northern Southeast Regional Aquaculture has 4 permitted chum salmon hatcheries, and 1 hatchery permitted for pink salmon. Gunnuk Creek Hatchery is permitted to take 65 million chum salmon eggs, 20 million pink salmon eggs, and 500 thousand coho salmon eggs. Hidden Falls Hatchery is permitted to take 101 million chum salmon eggs, 7.7 million coho salmon eggs, and 5.2 million king salmon eggs. Medvejie Creek Hatchery is permitted to take 77 million chum salmon eggs, 5.2 million king salmon eggs, and 3.3 million coho salmon eggs. Sawmill Creek Hatchery is permitted to take 30 million chum salmon eggs, 4.3 million coho salmon eggs, and 2 million king salmon eggs. The Haines projects are permitted to take 4.8 million chum salmon eggs and 2 million sockeye salmon eggs. The primary source of funding for all programs is cost recovery harvest on chum salmon and salmon enhancement tax.

Douglas Island Pink and Chum, Inc. (DIPAC) has 1 hatchery permitted for chum salmon. Macaulay Salmon Hatchery is permitted to take 135 million chum salmon eggs, 1.5 million coho salmon eggs, and 1.25 million king salmon eggs. In addition, DIPAC operates Snettisham Hatchery, that is permitted to take 33.5 million sockeye salmon eggs and is an integral part of

sockeye salmon enhancement programs for the Pacific Salmon Treaty. The primary source of funding all programs is cost recovery harvest of chum salmon.

Armstrong Keta, Inc. operates Port Armstrong Hatchery, that is permitted to take 105 million pink salmon eggs, 60 million chum salmon eggs, 6 million coho salmon eggs, and 2 million king salmon eggs. Port Armstrong Hatchery is the only current producer of pink salmon at a commercial scale in Southeast. The primary source of funding for all programs is cost recovery harvest of pink and chum salmon.

Sitka Sound Science Center operates Sheldon Jackson Hatchery, that is permitted to take 12 million chum salmon eggs, 3 million pink salmon eggs, and 250 thousand coho salmon eggs. The primary source of funding this training and research hatchery is cost recovery harvest of chum and pink salmon.

Southern Southeast Regional Aquaculture Association (SSRAA) operates 4 hatcheries permitted to take chum salmon eggs. Neets Bay Hatchery is permitted to take 102.7 million chum salmon eggs, 5 million coho salmon eggs, and 2 million king salmon eggs. Burnett Inlet Hatchery is permitted to take 97.2 million chum salmon eggs, 4.5 million coho salmon eggs and 2.7 million sockeye salmon eggs. Whitman Lake Hatchery is permitted to take 45.1 million chum salmon eggs, 7.5 million coho salmon eggs, 2.3 million king salmon eggs, and 2.5 million sockeye salmon eggs. Port Saint Nicholas Hatchery is permitted to take 8 million chum salmon eggs, and 770 thousand king salmon eggs. In addition, SSRAA runs Klawock River Hatchery, that is permitted to take 5.5 million coho salmon eggs, and 1 million sockeye salmon eggs; and Deer Mountain Hatchery that is permitted to take 600 thousand king salmon eggs. SSRAA also runs Crystal Lake Hatchery under a contract with Division of Sport Fish, that has an egg-take goal of 1.75 million king salmon eggs. The primary source of funding for all programs is cost recovery harvest of chum salmon and salmon enhancement tax.

The board's authority over hatchery production has previously been outlined by the Alaska Department of Law in an informal Attorney General Opinion (Nov. 6, 1997; 661-98-0127). The informal attorney general opinion notes the board "may exercise indirect authority over hatchery production by regulating the harvest of hatchery release fish in the common use fishery," by regulating "hatchery broodstock and cost recovery harvests," and by regulatory action "amending those portions of hatchery permits relating to the source and number of salmon eggs, hatchery harvests, and designation of special harvest areas." The opinion also noted that "Board action that effectively revokes or prevents the issuance of a hatchery permit is probably not authorized."

Excerpt from the [Dept. of Law Memo on Authority of the Board of Fisheries Over Private Nonprofit Hatchery Production \(1997\)](#) (page 12):

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 2 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).¹²

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because the changes to Alaska hatchery salmon production envisioned by this proposal are likely to have little effect on marine competition among salmon species. The department recognizes that straying of hatchery-produced chum salmon in Southeast Alaska has impacted the ability to assess status of wild chum salmon returns in some areas and is analyzing this problem to determine whether changes to hatchery release practices could reduce straying of hatchery produced chum salmon.

Hatchery egg-take levels are established through an iterative process involving department staff and stakeholders. Hatchery operations are permitted with consideration of minimizing impact on wild salmon stocks and the commissioner can amend a permit if the hatchery is not in the best interest of the public or to mitigate the adverse effects of the hatchery operation. If there is a compelling reason to amend terms of a hatchery permit, the amendment should be based on

¹² 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.

analysis of data and there should be clear evidence the amendment will reduce adverse effects on wild salmon stocks. No evidence was provided in this proposal to support that current permitted pink and chum salmon egg-take levels adversely affect wild stocks, in or outside the southeast enhancement area.

If the board were to adopt this proposal, there would need to be a discussion of how to apportion the egg-take cap because egg-take capacity is set on each hatchery permit. A straight 25% cut to each species at each hatchery may have unintended effects on production of other species of salmon and may have harvest allocation affects, which are a primary concern of the boards of the PNP corporations.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal will not result in an additional cost for the department.

Table 156–1. Estimated annual exvessel value of hatchery-produced pink salmon in Southeast Alaska, 2013–2022.

Year	Pink salmon harvest (nos)	Average Weight (lbs)	Average Price	Exvessel Value	25% of Value
2013	2,500,909	3.20	\$0.43	\$3,441,251	\$860,313
2014	511,954	3.48	\$0.29	\$516,664	\$129,166
2015	527,887	3.38	\$0.22	\$392,537	\$98,134
2016	358,762	3.90	\$0.33	\$461,727	\$115,432
2017	1,236,781	3.70	\$0.41	\$1,876,197	\$469,049
2018	401,665	3.80	\$0.47	\$717,374	\$179,343
2019	348,367	3.60	\$0.33	\$413,860	\$103,465
2020	1,294,350	3.50	\$0.32	\$1,449,672	\$362,418
2021	495,181	2.70	\$0.38	\$508,056	\$127,014
2022	926,087	3.70	\$0.53	\$1,816,057	\$454,014
Average	860,194	3.50	\$0.37	\$1,159,339	\$289,835

Source: the number of fish are from hatchery annual report data, including cost-recovery harvest. Average weights are from fisheries area management reports, and average prices are from COAR data, which are both available on the ADF&G website.

Table 156–2. Estimated annual exvessel value of hatchery-produced chum salmon in Southeast Alaska, 2013–2022.

Year	Chum salmon harvest (nos)	Average Weight (lbs)	Average Price	Exvessel Value	25% of Value
2013	10,489,177	8.00	\$0.60	\$50,348,050	\$12,587,012
2014	5,702,144	8.49	\$0.74	\$35,824,290	\$8,956,072
2015	9,145,107	9.47	\$0.59	\$51,096,456	\$12,774,114
2016	7,445,158	8.60	\$0.70	\$44,819,851	\$11,204,963
2017	9,348,617	9.40	\$0.88	\$77,331,760	\$19,332,940
2018	9,988,625	8.50	\$1.03	\$87,450,412	\$21,862,603
2019	7,411,457	7.80	\$0.59	\$34,107,525	\$8,526,881
2020	4,001,495	7.90	\$0.51	\$16,122,023	\$4,030,506
2021	6,042,136	6.30	\$1.09	\$41,491,348	\$10,372,837
2022	8,415,800	7.20	\$1.32	\$79,983,763	\$19,995,941
Average	7,798,972	8.17	\$0.81	\$51,857,548	\$12,964,387

Source: the number of fish are from hatchery annual report data, including cost-recovery harvest. Average weights are from fisheries area management reports, and average prices are from COAR data, which are both available on the ADF&G website.

PROPOSAL 157 – 5 AAC 33.3XX. Burnett Inlet Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Southern Southeast Regional Aquaculture Association.

WHAT WOULD THE PROPOSAL DO? This would create a terminal harvest area (THA) and associated management plan for hatchery runs to Burnett Inlet.

WHAT ARE THE CURRENT REGULATIONS? Currently there are only regulations establishing a special harvest area for cost recovery operations (5 AAC 40.039. Burnett Inlet).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The department in consultation with the Southern Regional Aquaculture Association would be able to open common property terminal harvest fisheries by regulation in Burnett Inlet, increasing harvest of hatchery-produced salmon in the THA.

BACKGROUND: The Southern Southeast Regional Aquaculture Association has operated the Burnett Inlet Hatchery since 1997. All excess fish to broodstock needs in the terminal area have been harvested for cost recovery. There are several pink salmon index streams near the proposed terminal harvest area but no pink salmon index streams inside the proposed area. There is some overlap in run timing between wild pink salmon and hatchery produced chum salmon runs.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal because it would allow the gillnet gear group into an area that they currently do not have authority to fish. The department **SUPPORTS** having a THA management plan but is concerned with prosecuting orderly common property fisheries in the area due to the size of the proposed THA (Figure 157-1). The department would support cost-recovery operations first and only look to provide for a common property fishery if the cost-recovery operation were unable to keep up with harvesting excess fish.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 158 – 5 AAC 33.374. District 12: Hidden Falls Hatchery Terminal Harvest Area Salmon Management Plan. and 5AAC 40.042. Northern Southeast Regional Aquaculture Special Harvest Areas.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would modify the boundaries of the Hidden Falls Terminal Harvest Area (THA) and the Hidden Falls special harvest area (SHA) in regulation to align with what is currently opened through emergency order.

WHAT ARE THE CURRENT REGULATIONS? The boundaries for both the Hidden Falls THA and SHA are within 2 nautical miles of the Baranof Island shoreline south of the latitude of South Point at 57°16.28' N. lat. and north of 57°06.83' N. lat., excluding the waters of Kelp Bay (Figure 158-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Boundaries of the SHA and THA would be more clearly defined in regulation. Emergency orders will no longer be needed to better define the THA and SHA boundaries. This will not affect current opportunity for common property harvest in the THA or hatchery cost recovery harvest in the SHA.

BACKGROUND: The Hidden Falls Hatchery, located in Kasnyku Bay on Baranof Island, was built in 1978 and 1979 and operated by the department until 1988, when Northern Southeast Regional Aquaculture Association (NSRAA) took over hatchery operations. After request from industry and consultation with NSRAA, the department used its emergency order authority to modify the boundaries of the Hidden Falls THA and SHA to the proposed area in 2011 and every year thereafter (Figure 158-1). The southern latitude was moved further south to allow purse seine fishing at a historically utilized hook-off point; the outer boundaries were defined with coordinates (rather than a distance from shore) to aid in compliance and enforcement of the THA and SHA boundaries.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 159 – 5 AAC 33.381. District 6: Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Southern Southeast Regional Aquaculture Association.

WHAT WOULD THE PROPOSAL DO? Modify the *Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan* by changing sport fish bag, possession and size limits, decreasing the length of time the management plan is in effect, and establishing a refuge area where sport fishing for king salmon is closed at all abundance levels.

WHAT ARE THE CURRENT REGULATIONS? The *Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan* directs the management of sport and commercial troll fisheries in the Terminal Harvest Area (THA) according to the preseason projected adult returns to the THA. In general, harvest opportunity increases as the projected adult run increases (Table 159-1). The department has the discretion to maintain or remove the nonresident annual limit as established by the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) within the THA. The department uses emergency order authority to take inseason action when necessary to protect broodstock. Outside of the dates the management plan is in effect, the fresh waters of Blind Slough have a bag and possession limit of 2 king salmon 28 inches or greater in length and 2 king salmon under 28 inches in length. Snagging is prohibited in the fresh waters of Blind Slough, and bait may be used June 1 through November 15 (5 AAC 47.023 (h)(1)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Sport fish harvest opportunity would be reduced, especially at low levels of abundance, while providing a priority for resident anglers through larger bag and possession limits. The dates the management plan is in effect would be reduced by 2 weeks to July 15. A refuge area would be established where sport fishing is closed at all abundance levels. When projected abundance is low, king salmon nonretention would be implemented rather than being closed to salmon fishing. The department's use of emergency order authority is clarified to include the ability to close fishing during periods of drought or high-water temperatures (to protect broodstock by reducing catch-and-release mortality) or to facilitate an orderly remote broodstock collection in Blind Slough. No change has been made to the guidance for the commercial troll fishery. These actions are expected to reduce sport harvest and catch-and-release mortality while increasing the likelihood that broodstock goals are achieved.

BACKGROUND: Crystal Lake Hatchery (CLH) is a State of Alaska owned facility that has been operated by the Southern Southeast Regional Aquaculture Association (SSRAA) through a contract with the ADF&G Division of Sport Fish since 2000 to produce king and coho salmon. Funding for CLH operations and maintenance is currently sourced from State, Federal, and internal SSRAA funds. Funding for releases at Crystal Creek is provided by funds dedicated for sport fish enhancement and intended to primarily benefit the sport fishery. SSRAA also utilizes king salmon broodstock collected at CLH to supply king salmon releases at Anita Bay that primarily supports the commercial fishery. The *Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan* was developed by the Petersburg Advisory Committee and adopted by the board in 1997. The plan directs the management of the saltwater (Wrangell Narrows) and the freshwater (Blind Slough) portions of the THA based on the projected adult run of king salmon to the THA (Table 159-1).

Table 159-1.–Wrangell Narrows-Blind Slough THA management under existing plan and Proposal 159.

Projected adult run of king salmon to the THA	Portion of the THA	Bag and possession limits	
		Existing plan	Proposal 159
Below 1,000 fish	Wrangell Narrows and Blind Slough	Closed	Closed
1,000–1,999	Wrangell Narrows (saltwater)	All anglers: 2 over 28" and 2 under 28"	All anglers: 1 any size.
	Blind Slough (freshwater)	Closed	Residents: 1 any size. Nonresidents: closed.
2,000–2,999	Wrangell Narrows (saltwater)	All anglers: 2 fish over 28" and 2 fish under 28"	Residents: 2 any size. Nonresidents: 1 any size.
	Blind Slough (freshwater)		Residents: 2 any size. Nonresidents: 1 any size.
3,000–3,999	Wrangell Narrows (saltwater)	All anglers: 2 fish over 28" and 2 fish under 28"	Residents: 3 any size. Nonresidents: 2 any size.
	Blind Slough (freshwater)		Residents: 2 any size. Nonresidents: 2 any size.
4,000 or more ¹	Wrangell Narrows (saltwater)	All anglers: 2 fish over 28" and 2 fish under 28"	Residents: 4 any size. Nonresidents: 3 any size.
	Blind Slough (freshwater)		
Additional notes		The plan is in effect until July 31.	The plan is in effect until July 15.

¹ Commercial troll fishery may open when projected returns are above 4,000 king salmon under the existing plan and Proposal 159.

The current management plan is designed to achieve a run of 1,000 adult king salmon to be used as broodstock at CLH. In 8 out of 10 years (2014–2023) CLH saw returns of at least 1,000 adult king salmon (Table 159-2); however, reduced fecundity, a higher-than-average male to female ratio, along with gamete viability and subsequent brood mortality, have resulted in SSRAA not being able to consistently achieve all of their production goals for the CLH facility.

Since 2017 restrictive action has been taken in the sport fishery to protect wild king salmon populations in the surrounding non-THA waters that has concentrated the sport fishing effort for king salmon in the THA. Annual sport harvest in the terminal harvest area has averaged 1,605 adult king salmon (2014–2023) with a low of 1,078 in 2021 and a high in 2,359 in 2016. Stratifying harvest by resident/nonresident is not possible in the THA due to insufficient response rates. In the greater Petersburg/Wrangell management area, nonresidents anglers average 52% of the king salmon harvest during this time period.

Table 159-2.–Preseason projected adult king salmon run to the THA, postseason adult king salmon sport harvest estimates, and actual adult king salmon run to Crystal Lake Hatchery(CLH).

Year	Projected adult run to THA	Adult harvest freshwater	Adult harvest saltwater	Adult run arrived at CLH
2014	2,500	238	1,551	1,801
2015	2,300	182	1,024	1,321
2016	3,900	1,560	799	1,638
2017	2,500	528	1,167	1,982
2018	2,600	675	751	1,561
2019	3,400	314	1,000	1,167
2020	2,800	240	1,518	1,392
2021	3,700	532	546	500
2022	3,000	634	1,369	3,372
2023	3,000	722	697	288

King salmon smolt released from CLH into Crystal Creek during 2014 to 2023 generally met the release goal of 600,000. 4 of these years CLH needed some portion of eggs transferred from another facility. Smolt to adult survival has followed similar trends observed around the region with historically low marine survival in recent years.

Variable summer weather patterns and the shallow stream morphology of Blind Slough create challenging warm and low water conditions for returning adults. Water depths are less than 2 feet for long stretches above Blind River rapids throughout the 3 miles leading to CLH. Die off events are common and, with limited holding water, foot and aerial surveys typically used to gauge inseason run strength are unreliable. King salmon milling in the shallow freshwater are subject to predation with eagles and bears commonly observed in the area during the king salmon run.

Despite restrictive action in the THA sport fishery, environmental challenges can impact the ability to meet broodstock goals. In 2013, Blind Slough was closed from June 1 – July 31 to fishing. That August saw a die off event of over 1,100 king salmon due to temperatures spiking as high as 82°F. In 2024, due to a projected adult return of 1,400 adult kings to the THA, Blind Slough was closed to king salmon fishing and bag and possession limits were reduced to 1 king any size in the remainder of the THA starting June 15. SSRAA staff lead an effort for remote collection of king salmon in the lower portion of Blind Slough with assistance from ADF&G staff and the public, attempting to secure broodstock before natural mortality could occur and prior to them reaching the hatchery.

Blind Slough provides the most popular roadside fishery in the Petersburg/Wrangell management area. The primary access point is a quarter-mile long handicap accessible trail that leads to a fishing platform adjacent to a large but shallow holding area where king and coho salmon commonly stage. This area is a popular fishing location for salmon, Dolly Varden, and trout however, periods of high temperature and low water can create a taxing environment for king salmon that may be subject to additional catch-and-release induced stress. The closed area created by this proposal includes all waters upstream of the Blind River rapids and the area adjacent to the fishing platform.

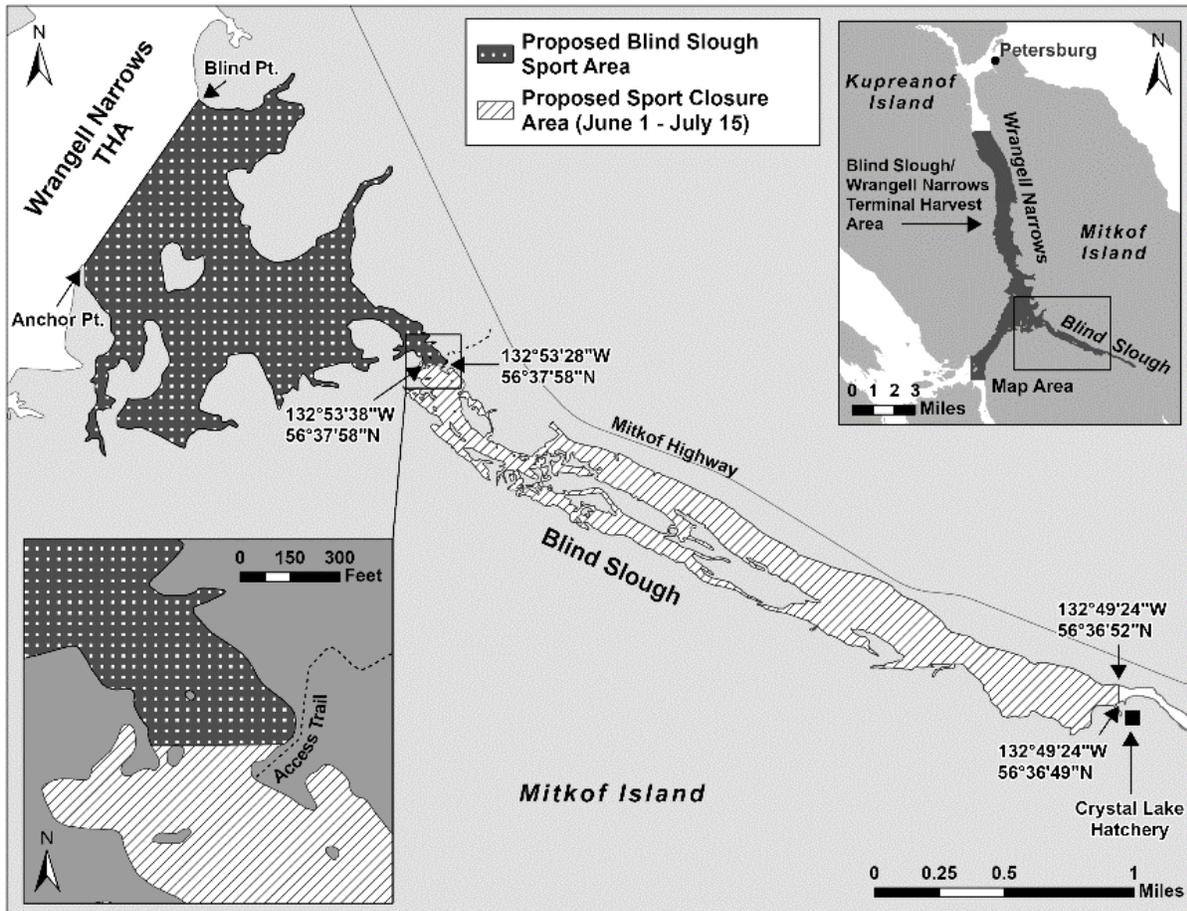


Figure 159-1.–Map of Wrangell Narrows – Blind Slough Terminal Hatchery Area (THA) with proposed closed area.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This proposal establishes differential bag and possession limits between resident and nonresident anglers while reducing sport fish harvest opportunity, especially at low abundance levels, to increase the likelihood of achieving production goals at CLH. In some years, environmental conditions may not allow production goals to be achieved regardless of restrictions. If adopted, the department requests clarification from the board if the refuge area will be closed to sport fishing for all species. When adult king salmon returns are projected to be 3,000–3,999 fish, the proposed plan calls for a resident bag and possession limit of 3 fish in saltwater and 2 fish in the freshwater portion of the THA. The department recommends resident bag and possession limits be aligned in both freshwater and saltwater portions of the THA to reduce regulatory complexity. The department **OPPOSES** reducing the time of the management plan to July 15; historic run timing for Andrew Creek broodstock returning to Blind Slough is June 1–August 15.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 160 – 5 AAC 33.381. District 6: Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Petersburg Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Modify the *Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan* by changing sport fish bag, possession and size limits, increasing the length of time the management plan is in effect and establishing a refuge area where sport fishing for king salmon is closed at all abundance levels.

WHAT ARE THE CURRENT REGULATIONS? The *Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan* directs the management of sport and commercial troll fisheries in the Terminal Harvest Area (THA) according to the preseason projected adult run to the THA. In general, harvest opportunity increases as the projected adult run increases (Table 159-1). The department has the discretion to maintain or remove the nonresident annual limit as established by the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) within the THA. The department uses emergency order authority to take inseason action when necessary to protect broodstock. Outside of the dates the management plan is in effect, the fresh waters of Blind Slough have a bag and possession limit of 2 king salmon 28 inches or greater in length and 2 king salmon under 28 inches in length. Snagging is prohibited in the fresh waters of Blind Slough, and bait may be used June 1 through November 15 (5 AAC 47.023 (h)(1)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Sport fish harvest opportunity would be reduced, especially at low levels of abundance, while providing a priority for resident anglers through larger bag and possession limits. The dates the management plan is in effect would be extended by 2 weeks to August 15 when the projected adult run to the THA is less than 3,000. A refuge area is established where sport fishing is closed at all abundance levels. When projected abundance is low, king salmon nonretention would be implemented rather than being closed to salmon fishing. The department's use of emergency order authority would be clarified to include the ability to close fishing during periods of drought or high water temperatures (to protect broodstock by reducing catch-and-release mortality) or to facilitate an orderly remote broodstock collection in Blind Slough. No change would be made to the guidance for the commercial troll fishery. These actions are expected to reduce sport harvest and catch-and-release mortality while increasing the likelihood that broodstock goals are achieved.

BACKGROUND: Proposals 159, 160, 161, and 163 recommend actions to modify the *Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan*. Additional background information is provided within staff comments for proposal 159.

The only difference between proposal 159 and proposal 160 is the dates the management plan is in effect. The existing management plan is in effect June 1–July 31, in this proposal the management plan has been extended by 2 weeks when the projected adult run to the THA is less than 3,000 and would be in effect June 1–August 15. This aligns with historic run timing into Blind Slough.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This proposal establishes differential bag and possession limits between resident and nonresident anglers while reducing sport fish harvest opportunity to increase the likelihood of achieving production goals at Crystal Lake Hatchery. In some years, environmental conditions may not allow production goals to be achieved regardless of restrictions.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 161 – 5 AAC 33.381. District 6: Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Brian Dreisbach and Charlene Dreisbach.

WHAT WOULD THE PROPOSAL DO? Modify the *Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan*, by reducing the bag and possession limit for nonresident anglers and establishing annual limits for both resident and nonresident anglers.

WHAT ARE THE CURRENT REGULATIONS? The *Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan* directs the management of sport and commercial troll fisheries in the Terminal Harvest Area (THA) according to the preseason projected adult run to the THA. In general, harvest opportunity increases as the projected adult run increases (Table 159-1). The department has the discretion to maintain or remove the nonresident annual limit as established by the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) within the THA. The department uses emergency order authority to take inseason action when necessary to protect broodstock. Outside of the dates the management plan is in effect, the fresh waters of Blind Slough have a bag and possession limit of 2 king salmon 28 inches or greater in length and 2 king salmon under 28 inches in length. Snagging is prohibited, and bait may be used June 1 through November 15 (5 AAC 47.023 (h)(1)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The resident bag and possession limit would remain unchanged but when the management plan is in effect (June 1 – July 31), residents would now have an annual limit of 6 fish inside the THA. Nonresident bag and possession limits have been reduced to 1 king salmon under 28 inches in length and 1 king salmon greater than 28 inches in length. Nonresident anglers would now have an annual limit of 3 fish inside the THA from June 1 – July 31. The nonresident annual limit established by the *Southeast Alaska King Salmon Management Plan* would remain in affect both outside the THA and outside the established dates of the *Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan*. No changes have been made to the management of commercial fisheries.

BACKGROUND: Proposals 159, 160, 161, and 163 recommend actions to modify the *Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan*. Additional background information is provided within staff comments for proposal 159.

This proposal is distinguished from the others in this group seeking modifications to the *Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan* by maintaining the current provisions of the management plan including the effective dates and the areas open to fishing but reduces the bag and possession limit for nonresidents and establishes an annual limit for both resident and nonresident anglers whenever the sport fishery is open and within the June 1 – July 31 time period. Resident anglers currently do not have an annual limit for king salmon at any location in Southeast Alaska.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This proposal establishes differential bag and possession limits between resident and nonresident anglers while reducing sport fish harvest opportunity for all anglers to increase the likelihood of achieving production goals at Crystal Lake Hatchery. King salmon annual limits for resident anglers have not been established for any location in Southeast Alaska.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 162 – 5 AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means, for fresh waters of the Southeast Alaska Area.

PROPOSED BY: Southern Southeast Regional Aquaculture Association.

WHAT WOULD THE PROPOSAL DO? In the fresh waters of Blind Slough the bag and possession limit of king salmon would be reduced to 2 king salmon, any size, from January 1 through May 31 and retention prohibited the remainder of the year outside of the time when the *Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan* (5 AAC 33.381) is in effect.

WHAT ARE THE CURRENT REGULATIONS? In the fresh waters of Blind Slough a bag and possession limit of 2 king salmon, 28 inches or greater in length, and 2 king salmon less than 28 inches in length applies outside of the time period when the *Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan* is in effect (June 1–July 31). The department utilizes emergency order authority to reduce or increase opportunity based on expected terminal run and broodstock needs.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Harvest opportunity would be reduced in the spring months prior to when the terminal harvest area (THA) management plan takes effect, and regardless of the level of forecasted run. The retention of king salmon would be prohibited in the late summer when the management plan is no longer in effect.

BACKGROUND: King salmon arrive in Blind Slough in late May, the peak of freshwater fishing occurs in late June, and spawning at the hatchery typically occurs in mid-August.

The current regulation provides harvest opportunity in the freshwater of Blind Slough both before and after the THA management plan is in effect. The management provisions established by regulation match the sport fish bag and possession limits that are currently called for in the management plan when the sport fishery is open in the freshwaters of Blind Slough. Proposals 159 and 160 recommend changes to the dates the *Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan* is in effect. If proposal 159 were adopted in combination with this proposal the sport fishery would close to retention July 15, approximately 1 month before spawning occurs at Crystal Lake Hatchery (CLH). If proposal 160 were adopted in combination with this proposal the sport fishery would close to retention August 15 and there would be a minimal reduction in harvest opportunity during the late portion of the run.

DEPARTMENT COMMENTS: The department **OPPOSES** prohibiting the retention of king salmon after spawning at CLH is completed. The reduction in bag and possession limits in the spring continues to provide reasonable harvest opportunity for early arriving king salmon. The department supports providing harvest opportunity throughout the duration of king salmon run timing at this freshwater location where the interception of other king salmon stocks is not a concern. If the board takes action to modify the bag, possession and annual limits prescribed by the *Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan* the board may consider aligning regulations that are in effect outside of the time frame of THA management plan with other adopted modifications. Alternatively, the board could extend the current duration of the *Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan* throughout the entirety of the run timing for king salmon and repeal the current regulation that

establishes bag and possession limits for king salmon outside of the time frame of the THA management plan.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 163 – 5 AAC 33.381. District 6: Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Andrew Kittams.

WHAT WOULD THE PROPOSAL DO? King salmon nonresident annual limits established by the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055; KSMP) would apply within the Wrangell Narrows-Blind Slough Terminal Harvest Area.

WHAT ARE THE CURRENT REGULATIONS? The *Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan* directs the management of sport and commercial troll fisheries in the terminal harvest area (THA) according to the preseason projected adult run to the THA. In general, harvest opportunity increases as the projected adult run increases (Table 159-1). The department has the discretion to maintain or remove the nonresident annual limit as established by the KSMP within the THA. The department uses emergency order authority to take inseason action when necessary to protect broodstock. Outside of the dates the management plan is in effect, the fresh waters of Blind Slough have a bag and possession limit of 2 king salmon 28 inches or greater in length and 2 king salmon under 28 inches in length. Snagging is prohibited, and bait may be used June 1 through November 15 (5 AAC 47.023 (h)(1)). Currently the nonresident annual limit established by the KSMP can range from 1 to 3 fish annually and changes across time within the season.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The nonresident annual limit, established by the KSMP, would apply within the THA. The department would no longer have the discretion to remove the nonresident annual limit in the THA.

BACKGROUND: Proposals 159, 160, 161, and 163 recommend actions to modify the *Wrangell Narrows-Blind Slough Terminal Harvest Area Salmon Management Plan*. Additional background information is provided within staff comments for proposal 159.

The KSMP directs the management of the king salmon sport fishery in Southeast Alaska. This plan establishes management provisions, including nonresident annual limits, based on the annual king salmon allocation to the sport fishery. The department has the discretion to maintain or remove the nonresident annual limit within locations where Alaska hatchery produced king salmon are returning. The sport harvest of king salmon within this THA has proven to be nearly 100% Alaska hatchery origin the majority of that is not counted against the Alaska all-gear catch limit of king salmon as specified in the Pacific Salmon Treaty. A nonresident annual limit is not necessary in this THA to protect Southeast Alaska wild origin king salmon or meet international obligations under the PST but could be established to reduce harvest opportunity for nonresident anglers with the intent of meeting broodstock goals.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocation between resident and nonresident harvest opportunity in the THA. The nonresident annual limit established by the KSMP is established to manage the regional king salmon sport fishery to its allocation and meet obligations of the Pacific Salmon Treaty. The abundance of king salmon returning to the THA may not be aligned with the objectives of the KSMP and the coastwide abundance of king salmon. Annual limits established by the KSMP may unnecessarily restrict harvest opportunity in times of high abundance within the THA.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 164 – 5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

PROPOSED BY: Territorial Sportsmen Inc.

WHAT WOULD THE PROPOSAL DO? This would establish a priority for resident anglers through the use of higher bag and possession limits in the sport hatchery harvest areas near Juneau. When the fishery is open with a resident bag limit of 1 fish, retention would be prohibited by nonresidents. When the resident bag limit is 2 fish, nonresidents would have a bag limit of 1 fish. When the resident bag limit is greater than 2 fish, nonresidents would have a bag limit of 2.

WHAT ARE THE CURRENT REGULATIONS? The department uses emergency order authority to establish sport fishing regulations inside the hatchery sport harvest areas near Juneau on an annual basis. In years when open to harvest opportunity, the department has established the king salmon bag and possession limit of 4 king salmon of any size and king salmon harvested by nonresidents does not count toward their annual limit. These regulations typically apply from June 1 through August 31. When special regulations are not in effect for the hatchery sport harvest area, management provisions established by the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) and the conservation measures prescribed by king salmon stock of concern action plans apply to this area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce king salmon harvest by nonresidents in the Juneau area hatchery sport harvest areas.

BACKGROUND: Since the late 1980's salmon enhancement has occurred in the Juneau area at the Macaulay Salmon Hatchery operated by Douglas Island Pink and Chum (DIPAC). DIPAC's current production goals are to release 1 million king salmon at 4 release locations in the Juneau area: Gastineau Channel, Fish Creek Pond, Auke Bay, and Lena Cove.

Hatchery-produced king salmon originating from DIPAC account for a significant portion of king salmon harvested in the Juneau area sport fishery. Since 2017 the department has taken restrictive action to protect Southeast Alaska wild-origin king salmon, and this has concentrated king salmon fishing effort in the Juneau area on hatchery production.

A targeted shoreside harvest study project (creel) estimated sport king salmon harvest and effort at 2 hatchery release sites in the Juneau hatchery sport harvest area: Fish Creek Pond and the Macaulay Salmon Hatchery. This project estimated over 2,500 and 1,600 king salmon were harvested by anglers fishing from shore at these 2 locations in 2022 and 2023 respectively, and 98% of the harvested fish were estimated to be of DIPAC (Alaska-hatchery) origin. Residents comprised about 65% of all surveyed anglers in both years of the study. Additional harvest in the Juneau hatchery sport harvest area occurs by anglers fishing from boats in marine waters.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocation of harvest opportunity between resident and nonresident anglers.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

COMMERCIAL SALMON (4 PROPOSALS)

PROPOSAL 165 – 5 AAC 33.310. Fishing seasons and periods for net gear.

PROPOSED BY: Robert T. Mosher.

WHAT WOULD THE PROPOSAL DO? This would shift weekly commercial salmon drift gillnet fishing periods from a Sunday to a Monday start.

WHAT ARE THE CURRENT REGULATIONS? Traditional drift gillnet fishing begins mid-June, and weekly fishing periods start on Sunday and close by emergency order, except for directed king salmon fishing periods in May through mid-June in Districts 8 and 11 that start on Monday each week.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Traditional weekly drift gillnet fishing periods starting in mid-June would have delayed starts from Sunday to Monday. There would be less potential fishing time in the week. There would be less time to transport fresh fish to weekend markets. Any weekend fishing time would be on Saturday rather than Sunday. This would also delay the weekly drift gillnet advisory announcement, currently issued on Thursday, to Friday that may result in incomplete harvest and assessment information by the time of the announcement.

BACKGROUND: Prior to statehood and during the early 1960s, regional commercial drift gillnet fishing periods opened predominantly on Mondays, then from 1965 through 1976 the periods were changed to open on Sundays, then from 1977 through 1981 the periods changed to predominantly open on Mondays. Current regulations returning the openings to a Sunday start were adopted by the board at the winter 1982/83 meeting after emergency order authority was used in the 1982 season to start on Sundays. In 2006, the board adopted regulations for directed king salmon fisheries in Districts 8 and 11 that included Monday openings to minimize conflict between commercial and sport fisheries. In 2006, the board adopted a proposal to eliminate the 12:01 p.m. Sunday opening time but retained the Sunday start to potentially allow for improved quality of fish being delivered to the processors on Monday morning after a day of fishing. Opening times have largely remained the same with no requests to change them within the Southeast Alaska Drift Gillnet Task Force. Proposals have been put forth in recent years to change back to Monday starts citing issues with Sunday openings including work on weekends that disrupts family time, limits worship activities, and creates more potential conflict between sport and commercial fisheries.

The Sections 11-B and 15-C commercial drift gillnet fisheries are currently delayed to a Monday start during the week of the Golden North Salmon Derby in August to reduce conflict with sport anglers in the greater Juneau area on Sunday as the derby runs Friday through Sunday. This only occurs once a season, but the 1-day delay often results in less accurate harvest estimates upon which to base management decisions for the following week.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Delaying the traditional weekly drift gillnet openings across the region would not allow ample time during the work week to compile and analyze harvest data needed to effectively manage the fisheries particularly during openings of 4 or 5 days. For Districts 6, 8, and 11, stock assessment projects and harvest sharing agreements with Canada are designed with the intent of getting each country needed information, including commercial harvest estimates, by Wednesday of each week for managing their respective fisheries to meet terms of the Pacific Salmon Treaty. Shifting weekly

openings to a morning start time, which would result in a morning end time to keep 24-hour openings intact, is currently allowed.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 166 – 5 AAC 33.331. Gillnet specifications and operation.

PROPOSED BY: United Southeast Alaska Gillnetters.

WHAT WOULD THE PROPOSAL DO? This would authorize the department to use emergency order authority to allow commercial salmon drift gillnet fishers in District 11 to use deeper nets during the directed coho salmon management period.

WHAT ARE THE CURRENT REGULATIONS? In common property drift gillnet fisheries, nets may not be more than 60 meshes in depth.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Drift gillnet fishers in District 11 could utilize nets 50% deeper (from approximately 30 feet to 45 feet in depth) when the department allows. Salmon harvest would likely increase. The department may no longer be able to use catch per unit effort (CPUE) as a management tool.

BACKGROUND: The District 11 drift gillnet fishery is managed based on coho salmon abundance beginning mid-August in statistical week 34. While the above border Taku River coho salmon run makes up a substantial portion of the fishery harvest, other contributions come from Douglas Island Pink and Chum, Inc (DIPAC) hatchery-origin coho salmon returning to release sites in Gastineau Channel, streams draining into the Taku River on the U.S. side of the border, and several more minor runs of coho salmon returning to streams draining into Stephens Passage and Port Snettisham. Management of the District 11 coho salmon drift gillnet fishery is based on run abundance from stock assessment on the Taku River, CPUE in the District 11 drift gillnet fishery, and stock composition from coded wire tag recoveries in the District 11 drift gillnet fishery harvest.

Before the most recent Annex of the Pacific Salmon Treaty (PST), implemented in 2019, the U.S. obligation was to pass a minimum number of coho salmon above the U.S./Canada border. In 2015, an escapement goal range of 50,000 to 90,000 Taku River coho salmon was adopted with a management objective of 70,000 fish. Weekly inriver run size estimates for Taku River coho salmon are derived from a mark-recapture stock assessment project utilizing department fish wheels for event 1 and the Canada commercial gillnet fishery for event 2. Historical run timing is used to project a final inriver run that is combined with projected U.S. harvest in District 11 for a terminal run estimate. Total allowable catch can be calculated by subtracting the management objective from the terminal run projection. Starting in 2015, the U.S. managed District 11 fisheries to allow a minimum above border run of 75,000 Taku River coho salmon (management objective plus 5,000 fish harvested inriver by Canada for stock assessment). Harvest sharing arrangements were negotiated in the 2019 Annex to accumulate allowable catch (AC) for each country based on terminal run size such that the first 5,000 fish above the management objective are allocated to Canada for assessment purposes; the next 5,000 fish are allocated to the U.S.; there is a 50/50 split between the U.S. and Canada for terminal run sizes from 80,000 to 100,000 fish; and run sizes greater than 100,000 fish shift to a 90-U.S./10-/Canada harvest split. In the 5 years (2019-2023) that harvest sharing has been in place for Taku River coho salmon, the U.S. has exceeded its harvest allocation in 2 years (2020 and 2022) and been below its allocation in 3 years (2019, 2021, and 2023).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal but **OPPOSES** the use of deeper nets throughout the district. Although deeper nets would likely increase Taku River coho salmon harvest in the District 11 drift gillnet fishery, this is a

mixed stock fishery with other coho salmon stocks present that would also have increased harvest rates with the proposed gear modification. Because CPUE data based on decades of fishing with 60-mesh deep nets is the primary indicator of abundance for these other stocks, switching to 90-mesh deep nets would not allow for comparison with the historical baseline for several years until a new baseline was developed. Furthermore, the U.S. has exceeded its PST harvest allocation of Taku River coho salmon in 2 of the last 5 years and the 3 years of underages were partially due to low effort and differences in run size estimates from inseason to postseason, so gear modifications with the intention to increase harvest of these fish are not warranted.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 167 – 5 AAC 33.332. Seine specifications and operations.

PROPOSED BY: Petersburg Vessel Owners Association (PVOA).

WHAT WOULD THE PROPOSAL DO? This would allow a purse seine fisher to add an additional 50 fathoms of length to their nets, increasing fishing efficiency for an individual purse seine vessel.

WHAT ARE THE CURRENT REGULATIONS? No purse seine may be less than 150 meshes or more than 450 meshes in depth, or less than 150 fathoms or more than 250 fathoms in length, hung measure. The seine mesh may not be more than 4 and ¹/₂ inches, except the first 25 meshes above the lead line may not be more than 7 inches. Regulations also provide for a seine lead that may not be more than 75 fathoms in length and 100 meshes in depth, may not be permanently attached to the seine, and may only be used on the bunt end.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The additional 50 fathoms of length on a seine net would increase harvest. The additional 50 fathoms would increase overall efficiency of gear, potentially change fishing practices, change how fishery performance data or total harvest is evaluated, potentially limit opportunity on years of low pink abundance, and have management implications in the District 104 purse seine fishery that is subject to provisions of the Pacific Salmon Treaty (PST).

BACKGROUND: Current purse seine gear regulations can be traced back to the 1950s, prior to statehood. Since statehood, this seine length regulation has remained relatively unchanged, however, technology has increased efficiency in the purse seine fleet in many other ways.

While the length of a purse seine vessel is capped at 58 feet, purse seine vessels are wider, have greater horsepower engines, and the average vessel hold capacity is significantly larger than it was 20 years ago. Increased efficiency in hydraulics has allowed for quicker retrieval of the net when it is closed up. Purse seine skiffs are more powerful, and the introduction of spectra line woven into a net allows a purse seine vessel to better hold the beach, tow against the tide, or scoop with the tide more effectively. Advanced marine electronics and communication have also significantly increased efficiency of fleets relative to the past.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. This could have unpredictable, yet potentially negative effects on traditional common property purse seine openings targeting wild stocks. The purse seine fleet is managed based on the strength of wild pink salmon and the potential negative effects would be more relevant on years of weak pink salmon abundance. Increased fishing efficiency would also have management implications in the District 104 purse seine fishery, that is the only purse seine fishery in Southeast Alaska subject to provisions of the PST. Under Chapter 2, section 9 of the PST, it states that each party shall not initiate new intercepting fisheries or conduct or redirect fisheries in a manner that intentionally increases interceptions. An increase to the legal length of a purse seine could result in increased sockeye salmon harvest and subsequently, reduced fishing time during the treaty period. This could also increase the interception of nontarget fish, such as steelhead, in the purse seine fishery.

Additionally, while purse seine fishery performance data such as catch per unit effort (CPUE) is not as useful as gillnet CPUE when evaluating fishery performance, total harvest and effort in a section or district is used and is essential for management decisions. Increasing the length of a purse seine by 20% will undoubtedly harvest more salmon. The magnitude of the increase in

harvest would be unknown and not comparable to past fishery performance or harvest by opening datum.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 168 – 5 AAC 33.398. Use of aircraft unlawful.

PROPOSED BY: Petersburg Vessel Owners Association (PVOA).

WHAT WOULD THE PROPOSAL DO? This would eliminate the terminal harvest area (THA) exemption from existing regulations the board adopted in 2018, that do not allow for a person to use an aircraft to direct commercial salmon fishing operations 1 hour before, during, and 1 hour after an open commercial purse seine fishing period.

WHAT ARE THE CURRENT REGULATIONS? During an open commercial purse seine fishing period, for an area outside of a THA a person may not use an aircraft to locate salmon for the commercial taking of salmon or to direct commercial salmon fishing operations 1 hour before, during, and 1 hour after an open commercial purse seine fishing period.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? There are THA openings that occur during traditional openings and some THAs open continuously, therefore this proposal would effectively eliminate the use aircraft for locating salmon and directing salmon fishing operations. This would lead to greater equity among vessel operators that choose and do not choose to employ aircraft in salmon fishing operations.

BACKGROUND: Aircraft were traditionally used in Southeast Alaska throughout the salmon season until 2015. Aircraft are still used in herring fisheries. Aircraft were used to locate salmon, observe effort levels and fleet distribution, and direct individual or group members to selected locations. Currently, there are very few spotter pilots still employed in the Southeast purse seine fleet. The remaining pilots continue to assess purse seine areas prior to scheduled purse seine openings.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Prohibiting aircraft use during all commercial common property purse seine openings would not impact the department's ability to manage for sustained yield and achieve management goals.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

COMMITTEE OF THE WHOLE – GROUP 5: HERRING (20 PROPOSALS)

SITKA HERRING (12 PROPOSALS)

PROPOSAL 171 – 5 AAC 27.160. Quotas and Guideline Harvest Levels for Southeastern Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would 1) reduce the allowable commercial harvest rate range for herring in Sitka Sound from 12–20% to 10–15% when the stock is above threshold, 2) change the harvest rate formula to produce harvest rates in terms of percentage of unfished biomass, 3) and increase the fishery threshold from 25,000 tons to 26,000 tons.

WHAT ARE THE CURRENT REGULATIONS? The guideline harvest level for the herring sac roe fishery in Sections 13-A and 13-B shall be established by the department and will be a harvest rate percentage that is not less than 12 percent, not more than 20 percent, and within that range shall be determined by the following formula:

Harvest Rate Percentage = $2 + 8 [\text{Spawning Biomass (in tons)}] / 20,000$.

The fishery will not be conducted if the spawning biomass is less than 25,000 tons.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It would elevate the biomass necessary to conduct a commercial fishery, potentially reducing fishing opportunity for some years. It would also reduce the allowable harvest rate for any given biomass level, below what is currently allowed (Figure 171-1). Reducing herring harvest by this amount would provide additional protection for herring populations and may benefit the ecosystem and subsistence harvesters by an unknown extent but would reduce commercial harvest opportunity.

BACKGROUND: The combined sliding-scale and threshold harvest rate strategy was first implemented for the Sitka herring stock in 1983 with a threshold of 7,500 tons and a sliding scale that was identical to that currently used for all other herring stocks in Southeast Alaska (gradual sliding scale from 10–20% harvest rate where the maximum harvest rate is achieved at 6 times the threshold). In 1998, a 20,000-ton threshold was set based on an estimated proportion of average unfished biomass (30% of average unfished biomass). That was more conservative than the one recommended by the best scientific information at the time (25% of average unfished biomass) and a steeper sliding scale was adopted to compensate for the expected reduced commercial fishing opportunity. This steeper sliding scale, that ranged from 30 to 63% average unfished biomass, was more conservative than used at that time by other management agencies in the North Pacific for herring², groundfish^{3,4}, and crab⁵ stocks with similar amounts of data and analysis. In 2009, the threshold was increased to 25,000 tons (37% of average unfished biomass) in response to concerns

² Stocker, M. 1993. Recent management of the British Columbia herring fishery. *In* Perspectives on Canadian Marine Fisheries Management, pp. 267-293. Ed. By L. S. Parsons, and W. H. Lear. Can. Bull. Fish and Aquat. Sci. 266 pp.

³ NPFMC. 1998. Amendment 56 to the Fishery Management Plan for the Groundfish fishery of the Gulf of Alaska. NPFMC, 1007 West Third Ave., Anchorage, AK 99501.

⁴ NPFMC. 1998. Amendment 56 to the Fishery Management Plan for the Groundfish fishery of the Bering Sea and Aleutian Islands Area. NPFMC, 605 West 4th St. Ste 306, Anchorage, AK 99501.

⁵ NPFMC. 2007. Environmental Assessment for Amendment 24 to the Fishery Management Plan for Bering Sea and Aleutian Islands king and Tanner crabs to revise overfishing definitions. NPFMC, 605 West 4th St. Ste 306, Anchorage, AK 99501.

raised about subsistence, but the sliding scale remained the same, resulting in a harvest rate of 12% when the stock was above the threshold. Because the threshold was increased without changing the harvest rate sliding scale, the result of the change was a more conservative approach as no harvest was allowed when the stock ranged from 20,000 to 24,999 tons, whereas previously a harvest rate of 10–12% had been allowed.

Sitka Sound’s harvest rate strategy (12–20% harvest rate, using a threshold of 25,000 tons and a sliding scale) has been considered conservative because historical simulations have shown a fixed 20% harvest rate is sustainable when paired with a threshold of at least 25% average unfished biomass (minimizing the risk of the population decreasing below threshold, enhancing the long-term productivity of a population) and using a sliding scale is an extra precaution.^{6,7}

Recent studies suggest that an appropriate threshold level for herring may be 30% of the median unfished biomass.^{8,9,10} This would match the threshold recently adopted for British Columbia herring stocks and would follow best practices for harvest of prey species. Maintaining 30% of median unfished biomass has been identified as a level sufficient to avoid poorly understood genetic, physiological, population and ecosystem effects that can occur with low biomass, to avoid levels of depletion from which it is potentially difficult to recover, and to provide a safety margin for changing environmental trends and variability.

The department recently completed an analysis¹¹ to update the estimated average unfished biomass for the Sitka Sound herring stock, that is the basis for setting the threshold. The updated estimated unfished biomass is 85,576 tons, an increase from the previous estimate of 67,036 made in 1997. The department’s updated estimate of unfished biomass contrasts with calculations made by the Sitka Tribe of Alaska in 2022, that estimated average unfished biomass to be from 109,183 to 135,739 tons.¹² The Sitka Tribe of Alaska and the department both estimated average unfished biomass by simulating the herring stock over many years, but the 2 methods were different in several aspects. Firstly, the department’s unfished biomass calculation employed a robust statistical technique to remove human judgement from deciding how recruitment should be simulated and, secondly, averaged the spawning biomass over many simulated years using a median estimate rather than mean. Median estimators are generally preferred when averaging data highly skewed by a few unusually large or small values. Thus, the department’s usage of the median prevents the unfished biomass estimate from being dominated by 1 or 2 exceptional recruitment events. Lastly, the department’s unfished biomass estimate was based on recruitments from 1980 to 2022, whereas the Sitka Tribe of Alaska’s estimate considered recruitments from 1983 to 2020. The department’s rationale for which years to include in its analysis was to include the first age-3 herring recruitment following a widely documented shift in oceanic and ecological

⁶ Hall, D. L., Hilborn, R., Stocker, M. and Walters, C. J. 1988. Alternative harvest strategies for Pacific herring (*Clupea harengus pallasii*). Can. J. Fish. Aquat. Sci. 45(5). 888-897.

⁷ Zheng, J. F. C. Funk, G. H. Kruse, and R. Fagen. 1993. Evaluation of threshold management strategies for Pacific herring in Alaska. In Proceedings of the International Symposium on Management Strategies for Exploited Fish Populations. Alaska Sea Grant Report 93-02. University of Alaska Fairbanks.

⁸ DFO. 2023. Management strategy evaluation update and evaluation of upper stock reference point options for Pacific herring (*Clupea pallasii*) in British Columbia, Canada. DFO Can. Sci. Advis. Sec. Sci. Resp. 2023/002.

⁹ Sainsbury, K. 2008. Best practice reference points for Australian Fisheries. Australian Fisheries Management Authority Report R2001/0999.

¹⁰ Cury, P. M., I. L. Boyd, S. Bonhommeau, T. Anker-Nilssen, R. J. M. Crawford, R. W. Furness, J. A. Mills, E. J. Murphy, H. Österblom, M. Paleczny, J. F. Piatt, J.-P. Roux, L. Shannon, W. J. Sydeman. 2011. Global seabird response to forage fish depletion – one-third for the birds. Science 334(6063), 1703-1706.

¹¹ Roberts, C. L., S. E. Miller, and S. C. Dressel. 2024. A simulation study to estimate the unfished biomass of Sitka Sound Pacific herring. Alaska Department of Fish and Game, Division of Commercial Fisheries, Regional Information Report No. 1J24-01, Juneau.

¹² Sitka Tribe of Alaska. 2022. Public Comments 329 & 460. Southeast Alaska Shellfish and Finfish Meeting,

conditions that occurred in winter 1976/1977 up until the most recent year of data availability. Combining the use of 30% of median unfished biomass for setting the threshold and the updated estimate of median unfished biomass for Sitka Sound results in a recommended threshold of 26,000 tons.

Following extensive modeling and evaluation of harvest rate strategies of herring stocks, Department of Fisheries and Oceans Canada has identified maximum harvest rates for British Columbia herring stocks ranging from 0 to 20% depending on individual stock productivity (determined by recruitment, natural mortality and growth) that will meet their conservation objective (low probability of dropping below 30% of unfished biomass over 15 years).^{13,14,15} Although Sitka productivity is currently high, a similar in-depth analysis has not been conducted for Southeast Alaska stocks, so reducing the maximum harvest rate to 15% would provide a precautionary maximum until such an analysis can be completed. In addition, multiple studies support the use of a maximum fishing mortality rate for prey species^{16,17,18} that would equal a 19% harvest rate for Sitka Sound. Reducing the maximum harvest rate for Sitka Sound herring to 15% would, therefore, also meet best practice and guiding principles for managing prey species for ecosystem resilience and predator dependence.

Changing to the proposed harvest rate formula would produce allowable harvest rates that are aligned with biological limit reference points expressed in percentages of unfished biomass (referred to as “B₀”, said as “B-naught”), a format generally accepted and used by fishery managers and researchers. For example, the proposed formula produces a 10% harvest rate when the biomass is 30% of B₀ and a 15% harvest rate when the biomass is at 60% B₀ or higher. These reference points have been used for herring fishery management elsewhere, such as in British Columbia, and allow for comparability among other herring management programs. The current formula results in minimum and maximum harvest rates when biomass is at 29% B₀ and 53% B₀, that are similar but slightly less conservative as the proposed values.

Sitka Sound herring population has recently reached the largest biomass since the State began management in 1960 and the size of the population has increased over 5-fold since the slope and maximum harvest rate of the current harvest control rule were established in 1998. While the Sitka Sound herring population has performed well under the current harvest strategy, increasing the threshold to 26,000 tons and decreasing the maximum harvest rate to 15% is precautionary in the absence of current management strategy evaluations explicitly for Sitka Sound. This precautionary approach is informed by current practice for Pacific herring stocks with high levels of data collection and aligns with the latest studies for supporting the ecosystem and the survival and breeding success of dependent predators.

¹³ DFO. 2023. Management strategy evaluation update and evaluation of upper stock reference point options for Pacific herring (*Clupea pallasii*) in British Columbia, Canada. DFO Can. Sci. Advis. Sec. Sci. Resp. 2023/002.

¹⁴ DFO. 2021. Stock status update with application of management procedures for Pacific herring (*Clupea pallasii*) in British Columbia: Status in 2021 and forecast for 2022. DFO Can. Sci. Advis. Sec. Sci. Resp. 2021/039.

¹⁵ DFO. 2024. Stock status update with application of management procedures for Pacific herring (*Clupea pallasii*) in British Columbia: Status in 2023 and forecast for 2024. DFO Can. Sci. Advis. Sec. Sci. Resp. 2024/001.

¹⁶ Sainsbury, K. 2008. Best practice reference points for Australian Fisheries. Australian Fisheries Management Authority Report R2001/0999

¹⁷ Smith, A. D. M., C. J. Brown, C. M. Bulman, E. A. Fulton, P. Johnson, I. C. Kaplan, H. Lozano-Montes, S. Mackinson, M. Marzloff, L. J. Shannon, Y.-J. Shin, J. Tam. 2011. Impacts of Fishing low-trophic level species on marine ecosystems. *Science* 333: 1147-1150.

¹⁸ Pikitch, E., P. D. Boersma, I. L. Boyd, D. O. Conover, P. Cury, T. Essington, S. S. Heppell, E. D. Houde, M. Mangel, D., Pauly, É. Plagányi, K. Sainsbury, and R. S. Steenack. 2012. Little fish, big impact: Managing a crucial link in ocean food webs. Lenfest Ocean Program. Washington, D.C. 108 pp.

If the proposed harvest rate had been applied to fisheries over the last 20 years, harvest and exvessel value would have been at most 25% less for all but 2 years (Table 171-1).

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

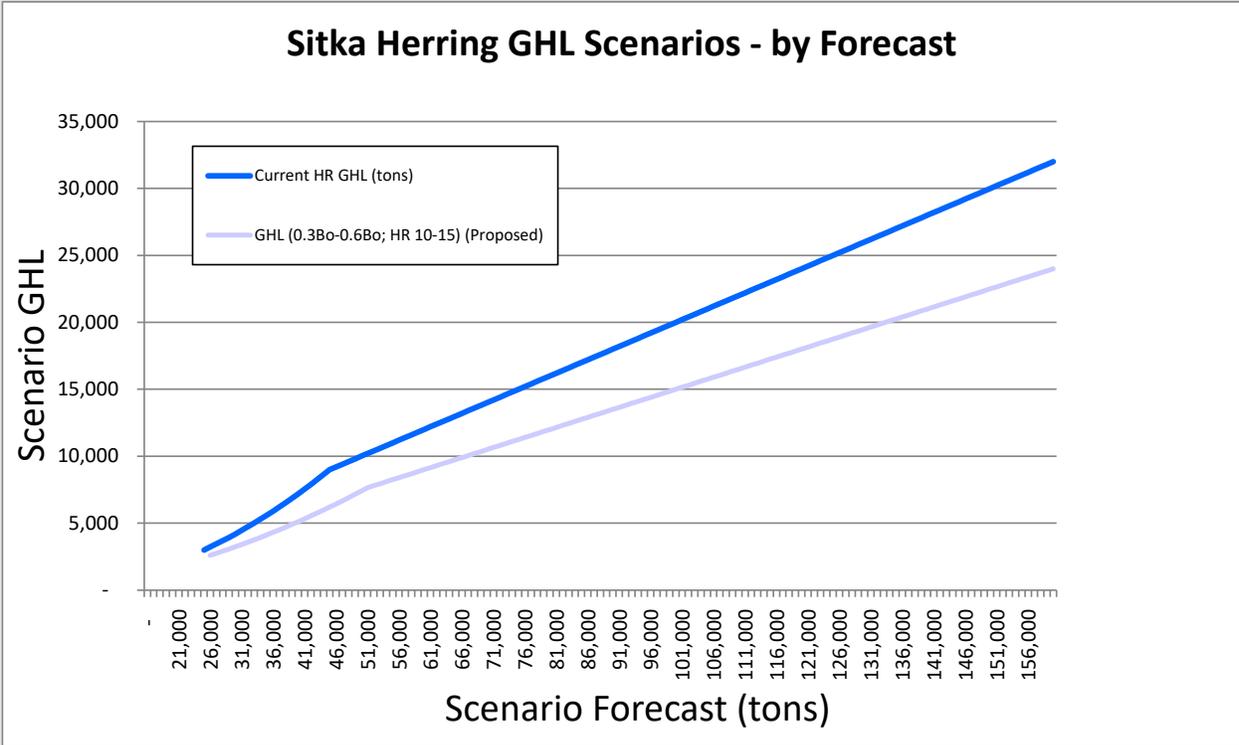
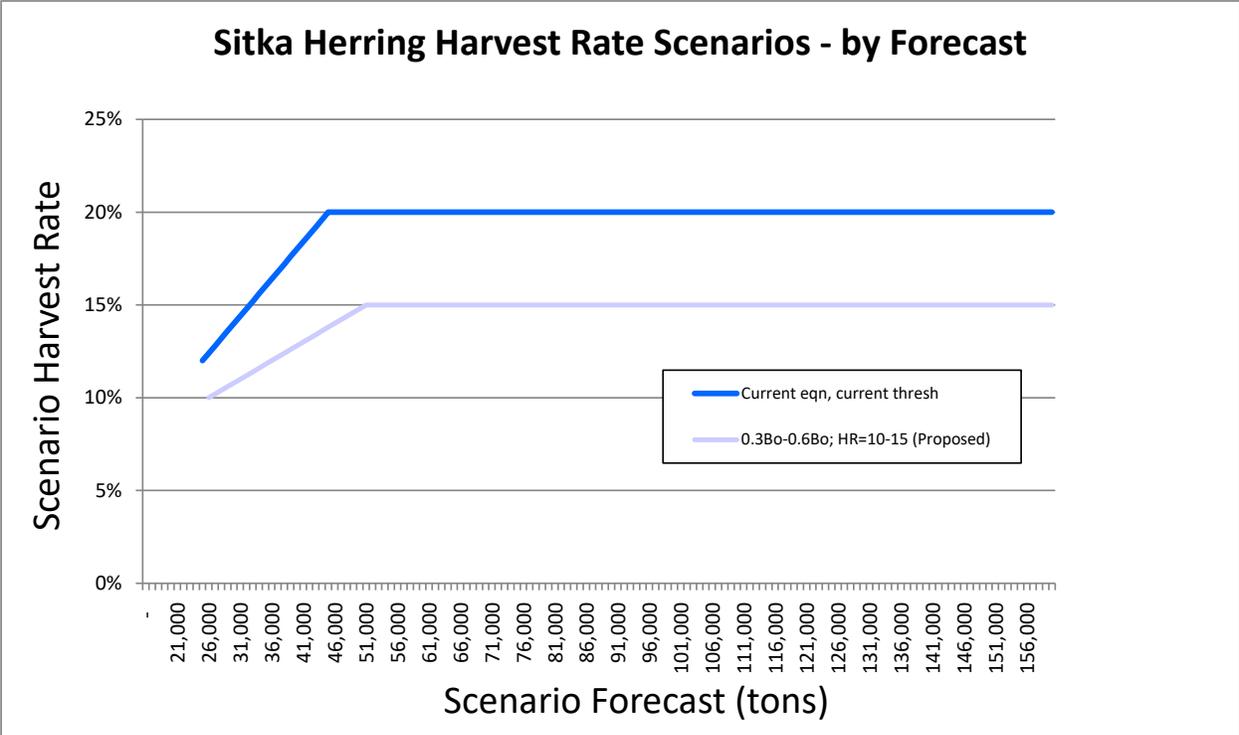


Figure 171-2.—Proposed and current commercial harvest rates and guideline harvest levels as functions of biomass forecast.

Table 171-2.—Comparison of past and proposed commercial herring harvest rates and guideline harvest levels for the Sitka Sound sac-roe fishery, 2005–2024.

Year	Forecast biomass (tons)	Harvest rate by formula in regulation	GHL by formula in regulation	Actual target HR ^a	Actual GHL (tons)	Actual harvest (tons)	Price \$/ton	Potential exvessel value based on actual GHL and price (\$US)	Proposed harvest rate	Proposed GHL (tons)	Potential exvessel Value (\$US) based on proposed GHL and actual price	Difference in potential exvessel values (\$US) from actual GHL to proposed GHL	Proposed percent of current GHL by formula
2005	55,962	20.0%	11,192	20.0%	11,192	11,366	538	6,021,554	15.0%	8,394	4,516,166	1,505,389	75%
2006	52,059	20.0%	10,412	20.0%	10,412	9,967	264	2,748,725	15.0%	7,809	2,061,544	-687,181	75%
2007	59,519	20.0%	11,904	20.0%	11,904	11,571	493	5,868,600	15.0%	8,928	4,401,450	-1,467,150	75%
2008	87,715	20.0%	17,543	16.8%	14,723	14,386	620	10,876,660	15.0%	13,157	8,157,495	-2,719,165	75%
2009	72,521	20.0%	14,504	20.0%	14,508	14,755	860	12,473,612	15.0%	10,878	9,355,209	-3,118,403	75%
2010	91,467	20.0%	18,293	20.0%	18,293	17,602	690	12,622,446	15.0%	13,720	9,466,835	-3,155,612	75%
2011	97,449	20.0%	19,490	20.0%	19,490	19,419	266	5,184,287	15.0%	14,617	3,888,215	-1,296,072	75%
2012	144,143	20.0%	28,829	20.0%	28,829	13,232	630	18,162,018	15.0%	21,621	13,621,514	-4,540,505	75%
2013	76,988	20.0%	15,398	15.0%	11,549	5,688	780	12,010,128	15.0%	11,548	9,007,596	-3,002,532	75%
2014	81,663	20.0%	16,333	20.0%	16,333	16,957	180	2,939,868	15.0%	12,249	2,204,901	-734,967	75%
2015	44,237	19.7%	8,715	19.7%	8,712	8,756	250	2,178,672	13.6%	6,037	1,509,300	-669,372	69%
2016	74,707	20.0%	14,941	20.0%	14,941	9,769	250	3,735,350	15.0%	11,206	2,801,513	-933,838	75%
2017	73,245	20.0%	14,649	20.0%	14,649	13,923	308	4,511,892	15.0%	10,987	3,383,919	-1,127,973	75%
2018	55,637	20.0%	11,127	20.0%	11,128	2,926	343	3,816,698	15.0%	8,346	2,862,524	-954,175	75%
2019	64,343	20.0%	12,869	20.0%	12,869	nf	nf	nf	15.0%	9,651	nf	nf	75%
2020	212,330	20.0%	42,466	12.2%	25,824	nf	nf	nf	15.0%	31,850	nf	nf	75%
2021	210,453	20.0%	42,091	15.8%	33,304	15,578	300	12,627,300	15.0%	31,568	9,470,385	-3,156,915	75%
2022	225,820	20.0%	45,164	20.0%	45,164	25,090	300	13,549,200	15.0%	33,873	10,161,900	-3,387,300	75%
2023	150,617	20.0%	30,124	20.0%	30,124	10,199	300	9,037,200	15.0%	22,593	6,777,765	-2,259,435	75%
2024	406,228	20.0%	81,246	20.0%	81,246	NA	NA	NA	15.0%	60,934	NA	NA	75%
Avg 05–24	116,855	20.0%	23,364	19.0%	21,760	13,011	434	8,139,071	14.9%	17,498	6,096,955	-2,042,117	75%
Total 05–24	–	–	–	–	435,194	221,185	–	138,364,211	–	349,967	103,648,229	-34,715,982	–

^a Differs from harvest rate by formula in regulation when decrements were made to GHL as conservative measures to buffer against uncertainty.

PROPOSAL 172 – 5 AAC 27.190. Herring Management Plan for Southeastern Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? It would reduce the maximum allowable commercial harvest rate for herring in Southeast Alaska from 20 to 15%.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.190(4) except as provided elsewhere, may allow a harvest of herring at an exploitation rate of 10 to 20 percent of the estimated spawning biomass when that biomass is above the minimum threshold level.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce the allowable harvest rate for all Southeast Alaska herring stocks from the currently allowed 20% to 15% when biomass levels are greater than 3.5 times the threshold. Reducing herring harvest by this amount may benefit the ecosystem and other user groups by an unknown extent but would reduce commercial harvest opportunity.

BACKGROUND: The maximum harvest rate of 20% has been used to manage herring stocks in Southeast Alaska since at least the 1980s and was included in regulations when the Southeast Alaska Herring Management Plan was adopted by the Board of Fisheries (board) in 1994. The use of a harvest rate sliding-scale of 10–20% combined with a threshold was first implemented in 1983. In Sitka a threshold of 7,500 tons was established and a sliding scale that was identical to that currently used for all other herring stocks in Southeast Alaska. For other fishery areas, thresholds varied depending on historical stock biomass size and minimums needed to manage fisheries. Over time, average unfished biomass was estimated for some areas and thresholds based on 25% of the estimated unfished biomass were recommended. These areas included Sitka Sound and West Behm Canal (Tenakee Inlet’s original threshold already exceeded this standard and so was maintained). In 1998, a threshold based on 25% of average unfished biomass (16,759 tons) was recommended for Sitka Sound by the department, based on the best scientific information at the time. The threshold was set by the board at 20,000 tons, that was equal to 30% of average unfished biomass. A steeper sliding scale was also adopted by the board to compensate for the expected reduced commercial fishing opportunity. This steeper sliding scale, that ranged from 30 to 63% unfished biomass, was more conservative than that used by other management agencies in the North Pacific for herring¹⁹, groundfish^{20,21}, and crab²² stocks with similar amounts of data and analysis. In 2009, the threshold was increased to 25,000 tons (37% of unfished biomass) in response to concerns raised about subsistence, but the sliding scale formula remained the same, resulting in a harvest rate of 12% when the stock was above the threshold.

The maximum harvest rate of 20% allowed under the current harvest rate strategy used for Sitka Sound and all other Southeast Alaska herring stocks has been considered conservative because historical simulations have shown a fixed 20% harvest rate is sustainable (minimizing the risk of

¹⁹ Stocker, M. 1993. Recent management of the British Columbia herring fishery. *In* Perspectives on Canadian Marine Fisheries Management, pp. 267-293. Ed. By L. S. Parsons, and W. H. Lear. Can. Bull. Fish and Aquat. Sci. 266 pp.

²⁰ NPFMC. 1998. Amendment 56 to the Fishery Management Plan for the Groundfish fishery of the Gulf of Alaska. NPFMC, 1007 West Third Ave., Anchorage, AK 99501.

²¹ NPFMC. 1998. Amendment 56 to the Fishery Management Plan for the Groundfish fishery of the Bering Sea and Aleutian Islands Area. NPFMC, 605 West 4th St. Ste 306, Anchorage, AK 99501.

²² NPFMC. 2007. Environmental Assessment for Amendment 24 to the Fishery Management Plan for Bering Sea and Aleutian Islands king and Tanner crabs to revise overfishing definitions. NPFMC, 605 West 4th St. Ste 306, Anchorage, AK 99501.

the population decreasing below threshold, enhancing the long-term productivity of a population) when paired with a threshold of at least 25% average unfished biomass, and reducing the harvest rate on a sliding scale as the population nears threshold is an extra precaution.

Following extensive modeling and evaluation of harvest rate strategies of Pacific herring stocks, Department of Fisheries and Oceans Canada has identified maximum harvest rates for British Columbia herring stocks ranging from 0 to 20% depending on individual stock productivity (determined by recruitment, natural mortality and growth) that will meet their conservation objective (low probability of dropping below 30% of unfished biomass over 15 years). A similar in-depth analysis has not been conducted for Southeast Alaska stocks, so reducing the maximum harvest rate to 15% would provide a more precautionary maximum until such an analysis can be completed.

If the proposed harvest rate had been applied to fisheries over the last 20 years, harvest and exvessel value would have been at most 25% less for Sitka Sound, and only some years would have been affected for some other stocks (Tables 172-1, 172-2). Due to the nature of kelp allocation for the spawn-on-kelp fisheries (Craig, Hoonah Sound, Ernest Sound, Tenakee Inlet), and the relatively low annual bait harvest in Craig and other areas, the impacts to historical fisheries over the past 20 years would have been minor if the proposed 15% harvest rate was used in the past.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 172-3.—Comparison of past and proposed commercial herring guideline harvest levels for the Sitka Sound sac-roe fishery, 2005–2024.

Year	Forecast biomass (tons)	Harvest rate by formula in regulation	GHL by formula in regulation	Actual target HR ^a	Actual GHL (tons)	Actual harvest (tons)	Price \$/ton	Potential exvessel value based on Actual GHL and price (\$US)	Proposed harvest rate	Proposed GHL (tons)	Potential exvessel value (\$US) based on proposed GHL and actual price	Difference in potential exvessel values (\$US) from actual GHL to proposed GHL	Proposed percent of current GHL by formula
2005	55,962	20.0%	11,192	20.0%	11,192	11,366	538	6,021,554	15.0%	8,394	4,516,166	-1,505,389	75%
2006	52,059	20.0%	10,412	20.0%	10,412	9,967	264	2,748,725	15.0%	7,809	2,061,544	-687,181	75%
2007	59,519	20.0%	11,904	20.0%	11,904	11,571	493	5,868,600	15.0%	8,928	4,401,450	-1,467,150	75%
2008	87,715	20.0%	17,543	16.8%	14,723	14,386	620	10,876,660	15.0%	13,157	8,157,495	-2,719,165	75%
2009	72,521	20.0%	14,504	20.0%	14,508	14,755	860	12,473,612	15.0%	10,878	9,355,209	-3,118,403	75%
2010	91,467	20.0%	18,293	20.0%	18,293	17,602	690	12,622,446	15.0%	13,720	9,466,835	-3,155,612	75%
2011	97,449	20.0%	19,490	20.0%	19,490	19,419	266	5,184,287	15.0%	14,617	3,888,215	-1,296,072	75%
2012	144,143	20.0%	28,829	20.0%	28,829	13,232	630	18,162,018	15.0%	21,621	13,621,514	-4,540,505	75%
2013	76,988	20.0%	15,398	15.0%	11,549	5,688	780	12,010,128	15.0%	11,548	9,007,596	-3,002,532	75%
2014	81,663	20.0%	16,333	20.0%	16,333	16,957	180	2,939,868	15.0%	12,249	2,204,901	-734,967	75%
2015	44,237	19.7%	8,715	19.7%	8,712	8,756	250	2,178,672	13.6%	6,037	1,509,300	-669,372	69%
2016	74,707	20.0%	14,941	20.0%	14,941	9,769	250	3,735,350	15.0%	11,206	2,801,513	-933,838	75%
2017	73,245	20.0%	14,649	20.0%	14,649	13,923	308	4,511,892	15.0%	10,987	3,383,919	-1,127,973	75%
2018	55,637	20.0%	11,127	20.0%	11,128	2,926	343	3,816,698	15.0%	8,346	2,862,524	-954,175	75%
2019	64,343	20.0%	12,869	20.0%	12,869	nf	nf	nf	15.0%	9,651	nf	nf	75%
2020	212,330	20.0%	42,466	12.2%	25,824	nf	nf	nf	15.0%	31,850	nf	nf	75%
2021	210,453	20.0%	42,091	15.8%	33,304	15,578	300	12,627,300	15.0%	31,568	9,470,385	-3,156,915	75%
2022	225,820	20.0%	45,164	20.0%	45,164	25,090	300	13,549,200	15.0%	33,873	10,161,900	-3,387,300	75%
2023	150,617	20.0%	30,124	20.0%	30,124	10,199	300	9,037,200	15.0%	22,593	6,777,765	-2,259,435	75%
2024	406,228	20.0%	81,246	20.0%	81,246	NA	NA	NA	15.0%	60,934	NA	NA	75%
Avg 05–24	116,855	20.0%	23,364	19.0%	21,760	13,011	434	8,139,071	14.9%	17,498	6,096,955	-2,042,117	
Total 05–24	–	–	–	–	435,194	221,185	–	138,364,211	–	349,967	103,648,229	-34,715,982	–

^a Differs from harvest rate by formula in regulation when decrements were made to GHL as a conservative measure to buffer against uncertainty.

Note: NA denotes data that was not available at this time; nf denotes no fishery for these years; en dash denotes not applicable.

Table 172-2.—Past harvest rates for all Southeast Alaska commercial herring fisheries other than Sitka Sound, 2005–2024.

Year	Craig HR	Seymour HR	Tenakee HR	Ernest HR	Hobart HR	Hoonah Sound HR
2005	14.2%	12.7%	10.9%	0.0%	10.2%	16.7%
2006	13.7%	14.8%	0.0%	0.0%	0.0%	16.2%
2007	13.5%	14.1%	0.0%	0.0%	0.0%	16.3%
2008	13.7%	13.8%	0.0%	15.2%	11.9%	20.0%
2009	13.7%	14.7%	20.0%	11.6%	11.3%	20.0%
2010	13.9%	11.7%	11.4%	10.3%	11.1%	20.0%
2011	15.2%	12.5%	0.0%	12.1%	0.0%	20.0%
2012	20.0%	14.1%	0.0%	10.1%	0.0%	20.0%
2013	17.4%	13.1%	0.0%	10.8%	0.0%	10.5%
2014	18.4%	12.2%	13.0%	14.1%	0.0%	0.0%
2015	14.3%	0.0%	0.0%	0.0%	0.0%	0.0%
2016	12.9%	0.0%	0.0%	0.0%	0.0%	0.0%
2017	11.1%	0.0%	0.0%	0.0%	0.0%	0.0%
2018	14.4%	0.0%	0.0%	0.0%	0.0%	0.0%
2019	17.1%	0.0%	0.0%	0.0%	0.0%	0.0%
2020	20.0%	0.0%	0.0%	0.0%	0.0%	0.0%
2021	20.0%	0.0%	0.0%	0.0%	0.0%	0.0%
2022	20.0%	0.0%	0.0%	0.0%	0.0%	0.0%
2023	20.0%	0.0%	0.0%	0.0%	0.0%	0.0%
2024	20.0%	0.0%	0.0%	0.0%	0.0%	0.0%
2005– 2024 Ave	16.2%	6.7%	2.8%	4.2%	2.2%	8.0%

Note: Values represent past actual allowable harvest rates with highlights for those years/stocks that exceeded the proposed 15% harvest rate.

Note: Boxes in bold represent years that would have been reduced by the proposed harvest rate (HR).

PROPOSAL 173 – 5 AAC 27.160. Quotas and guideline harvest levels for Southeastern Alaska Area.

PROPOSED BY: Herring Protectors.

WHAT WOULD THE PROPOSAL DO? As written, this would remove 5 AAC 27.160(g) from regulation, and the harvest rate for the Sitka Sound herring sac roe fishery would be determined using methods utilized for other Southeast Alaska herring stocks.

WHAT ARE THE CURRENT REGULATIONS? Sitka Sound is the only Southeast Alaska herring fishery area that has a sliding harvest rate formula in regulation. The guideline harvest level shall be established by the department and will be a harvest rate of not less than 12%, nor more than 20% of the forecast mature biomass, and within that range shall be determined by the following formula:

$$\text{Harvest Rate Percentage} = 2 + 8 [\text{Spawning Biomass (in tons)}] / 20,000.$$

The fishery will not be conducted if the spawning biomass is less than 25,000 tons.

For all other herring fisheries in Southeast Alaska, regulations provide that the department shall establish minimum spawning biomass thresholds below which fishing will not be allowed and may allow a harvest of herring at an exploitation rate from 10% to 20% of the estimated spawning biomass when that biomass is above the minimum threshold level.

In 1989, the board made a positive C&T finding for herring and herring spawn in several areas of Southeast Alaska, including Sections 13-A and a portion of 13-B.

The department is directed by the *Sitka Sound commercial sac roe herring fishery* (5 AAC 27.195) to distribute the commercial harvest, by time and area if the department determines that it is necessary to ensure a reasonable opportunity to harvest the amount of herring spawn for subsistence use specified in *Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses* (5 AAC 01.716).

Closed waters for commercial herring fishing in District 13 encompass roughly 16.5 square nautical miles of near shore waters in north Sitka Sound. Additionally, 2 square nautical miles of Sitka Sound are closed to commercial herring fishing under federal regulation; a portion of this closure is also closed in state closed waters regulations (Figure 179-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If 5 AAC 27.160(g) were removed from regulation, the annual harvest rate for the Sitka Sound herring sac roe fishery would default to what is currently used for other herring stocks in Southeast Alaska. The harvest rate would be set from 10 to 20% of the estimated spawning biomass when the biomass is above the minimum threshold as specified in *Herring Management Plan for Southeastern Alaska Area* (5 AAC 27.190[4]). This would result in a decreased guideline harvest level (GHL) for the fishery, relative to the harvest rate formula currently in use, from forecast biomass estimates ranging from 25,000–150,000 tons of herring (Table 173-1). While as proposed, the current threshold would be removed from regulation, the department would still use the current threshold

of 25,000 tons of herring for the Sitka Sound herring stock. A reduction in commercial harvest may benefit the ecosystem and other user groups by an unknown extent.

The effect of the proposal on the subsistence harvest of herring roe is unclear due to several factors unrelated to the commercial harvest affect the success of the subsistence harvest. These factors include natural variability in spawn distribution and timing, weather patterns, and the number of individuals attempting to harvest for subsistence purposes. Changes in herring spawn distribution within Sitka Sound would be expected to affect overall harvesting success the most.

BACKGROUND: The Sitka Sound herring stock has been the largest and most stable stock in the region for decades and there are currently no conservation concerns with this stock. The harvest rate strategy proposed for Sitka Sound (see Proposal 171) is comparable to strategies recommended for prey species in global meta-analyses, although lower maximum harvest rates have recently been applied to herring stocks in the North Pacific. To ensure a reasonable opportunity to harvest necessary amounts of herring roe in the subsistence fishery, the department relies on its ability to distribute the commercial herring harvest with respect to space and time. Additionally, existing waters closed to commercial herring harvest provide separation between commercial and subsistence fishing activity.

The combined sliding-scale and threshold harvest rate strategy was first implemented in Sitka Sound in 1983 with a threshold of 7,500 tons and a sliding scale that was identical to that currently used for all other herring stocks in Southeast Alaska. In 1998, a 20,000-ton threshold was set based on an estimated proportion of average unfished biomass. This threshold exceeded that recommended by the best scientific information at the time (25% of unfished biomass was recommended by best scientific information, 20,000 tons was 30% of unfished biomass) and a steeper sliding scale was adopted so that a 20% harvest rate would be reached at the same forecasted biomass as under the previously applied Southeast Alaska sliding scale. While the threshold-based harvest rate strategy adopted in 1998 was more conservative than the 1983 harvest rate strategy, the steeper sliding scale adopted by the board was a way to lessen the sudden loss of commercial harvest potential that the new threshold created. This steeper sliding scale was consistent with the goal of a threshold, sliding-scale harvest control rule, that is to reduce the harvest rate when a population falls below some proportion of average unfished biomass. In 2009, the threshold was increased to 25,000 tons (37% of unfished biomass) due to subsistence concerns and the sliding scale remained the same, resulting in a harvest rate of 12% when the stock was at or above the threshold. Because the threshold was increased, the result of the change was a more conservative approach because no harvest was allowed when the stock was ranging from 20,000 to 24,999 tons, whereas previously a harvest rate of 10–12% had been allowed.

Since 2002, the department has conducted an annual subsistence household survey designed to estimate the subsistence harvest of herring spawn in Sitka Sound. The survey results show that harvest effort is concentrated on an area centered around Middle Island and the Kasiana Island group (Figure 179-1). Following the implementation of the closed waters from 2012–2019, the success rate, that is defined as the percentage of households attempting to harvest herring spawn that did so successfully, annual roe harvest, and harvest per household have remained generally constant; however, over the same time period, the number of households attempting to harvest decreased. In 2018 and 2019, there was essentially a lack of herring spawn within the closed area, that likely contributed to the lower harvest in those years. Following a low point for harvest and effort in 2020 (largely driven by the COVID-19 pandemic) the success rate, effort, and overall harvest has steadily increased. In 2009, the board modified the ANS for herring spawn in Sitka

Sound to a range of 136,000–227,000 pounds of herring spawn. From 2002 through 2011, harvests were within or above the ANS range 6 times and below 3 times; from 2012 through 2023, harvests were within the ANS range once and below 11 times (Figure 173-1).

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. If the intent is to close the Sitka Sound commercial herring sac roe fishery, a closure is unnecessary because when the forecasted biomass of Sitka Sound herring exceeds the threshold, there is a harvestable surplus of herring for subsistence and commercial purposes. As written, the proposal would default the harvest strategy to general areawide regulations rather than the specific board adopted harvest strategy for the Sitka Sound herring stock in regulation.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined under 5 AAC 01.716(a)(11)(D)(i) and (ii) that herring and herring spawn in the waters of Section 13-A and in the waters of Section 13-B north of the latitude of Aspid Cape are customarily and traditionally taken for subsistence uses.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established a range of 136,000–227,000 pounds of herring spawn that are reasonably necessary for subsistence uses in Section 13-A and Section 13-B north of the latitude of Aspid Cape (5 AAC 01.716(b)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 173-1.—Established commercial harvest rates and GHGs compared to proposed harvest rates and GHGs for the Sitka Sound herring sac roe fishery.

Sitka forecast biomass (tons)	Current harvest rate	Current harvest rate GHG (tons)	Proposed harvest rate	Proposed GHG (tons)	Proposed GHG (tons) difference from current
15,000	—	—	—	—	—
20,000	—	—	—	—	—
25,000	12.00%	3,000	10.00%	2,500	-500
30,000	14.00%	4,200	10.40%	3,120	-1,080
35,000	16.00%	5,600	10.80%	3,780	-1,820
40,000	18.00%	7,200	11.20%	4,480	-2,720
45,000	20.00%	9,000	11.60%	5,220	-3,780
50,000	20.00%	10,000	12.00%	6,000	-4,000
55,000	20.00%	11,000	12.40%	6,820	-4,180
60,000	20.00%	12,000	12.80%	7,680	-4,320
65,000	20.00%	13,000	13.20%	8,580	-4,420
70,000	20.00%	14,000	13.60%	9,520	-4,480
75,000	20.00%	15,000	14.00%	10,500	-4,500
80,000	20.00%	16,000	14.40%	11,520	-4,480
85,000	20.00%	17,000	14.80%	12,580	-4,420
90,000	20.00%	18,000	15.20%	13,680	-4,320
95,000	20.00%	19,000	15.60%	14,820	-4,180
100,000	20.00%	20,000	16.00%	16,000	-4,000
105,000	20.00%	21,000	16.40%	17,220	-3,780
110,000	20.00%	22,000	16.80%	18,480	-3,520
115,000	20.00%	23,000	17.20%	19,780	-3,220
120,000	20.00%	24,000	17.60%	21,120	-2,880
125,000	20.00%	25,000	18.00%	22,500	-2,500
130,000	20.00%	26,000	18.40%	23,920	-2,080
135,000	20.00%	27,000	18.80%	25,380	-1,620
140,000	20.00%	28,000	19.20%	26,880	-1,120
145,000	20.00%	29,000	19.60%	28,420	-580
150,000	20.00%	30,000	20.00%	30,000	0
155,000	20.00%	31,000	20.00%	31,000	0
160,000	20.00%	32,000	20.00%	32,000	0

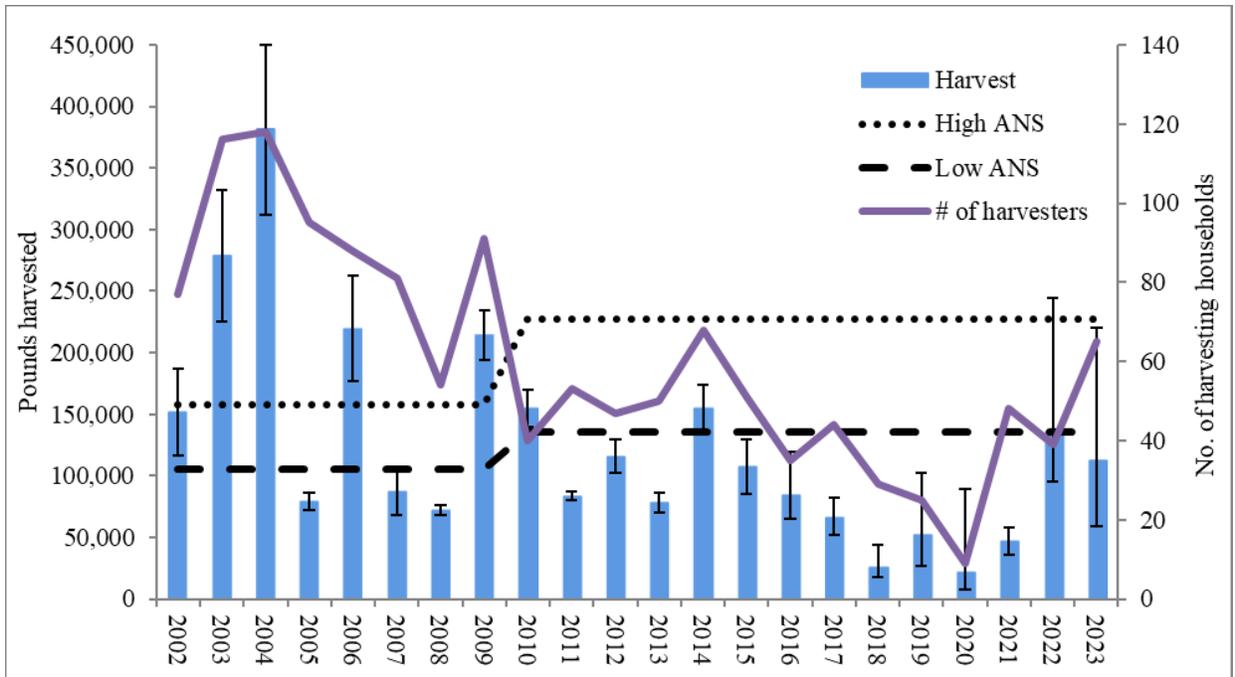


Figure 173-1.—Total pounds harvested, number of harvesting households, and ANS for subsistence use of herring spawn on kelp and branches in Sitka Sound, 2002–2023.

PROPOSAL 174 – 5 AAC 27.160. Sitka Sound commercial sac roe herring fishery.

PROPOSED BY: Herring Protectors.

WHAT WOULD THE PROPOSAL DO? It would 1) set the fishery threshold of the Sitka Sound herring sac roe fishery at 50,000 tons, 2) restrict the guideline harvest level (GHL) to 2,500 tons when the biomass is from 50,000 to 100,000 tons, and 3) cap the GHL at 5,000 tons when the biomass is greater than 100,000 tons.

WHAT ARE THE CURRENT REGULATIONS? The guideline harvest level for the herring sac roe fishery in Sections 13-A and 13-B shall be established by the department and will be a harvest rate percentage that is not less than 12 percent, not more than 20 percent, and within that range shall be determined by the following formula:

Harvest Rate Percentage = $2 + 8 \text{ [Spawning Biomass (in tons)]} / 20,000$.

The fishery will not be conducted if the spawning biomass is less than 25,000 tons.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It would limit harvest to no more than 2,500 or 5,000 tons annually, depending on forecast level, that would substantially reduce the currently allowable harvest for most if not all years. Reducing herring harvest by this amount may benefit the ecosystem and other user groups by an unknown extent but would greatly reduce commercial harvest opportunity.

BACKGROUND: See background for Proposal 171.

From 2005 to 2024, this proposal would have reduced the annual average harvest rate to approximately 3%. While reducing the maximum harvest rate from 20% to 15% is prudent, reducing it to the extent proposed would be considerably more restrictive than most Pacific herring fisheries in North America. In addition, it would be much more conservative than global predator-prey studies recommend as necessary to provide for the ecosystem and meet the needs of predator species. Capping the allowable harvest has the effect of increasingly reducing the harvest rate as the stock increases in biomass, that is counterintuitive to the currently designed sliding scale harvest rate strategy, that increases allowable harvest as the stock level increases. Over the past 20 years, the proposed harvest level caps would have substantially reduced harvest and exvessel value for all seasons in which fisheries took place (Table 174-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Reducing the harvest rate and increasing the threshold to these levels are considered by the department to be greater than necessary for protecting the stock and the ecosystem.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined under 5 AAC 01.716(a)(11)(D)(i) and (ii) that herring and herring spawn in the waters

of Section 13-A and in the waters of Section 13-B north of the latitude of Aspid Cape are customarily and traditionally taken for subsistence uses.

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence uses? The board has established a range of 136,000–227,000 pounds of herring spawn that are reasonably necessary for subsistence uses in Section 13-A and Section 13-B north of the latitude of Aspid Cape (5 AAC 01.716(b)).

5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 174-4.–Comparison of past and proposed commercial herring guideline harvest levels for the Sitka Sound sac-roe fishery, 2005–2024.

Year	Forecast biomass (tons)	Harvest rate by formula in regulation	GHL by formula in regulation	Actual target HR ^a	Actual GHL (tons)	Actual harvest (tons)	Price \$/ton	Potential exvessel value based on actual GHL and price (\$US)	Proposed harvest rate	Proposed GHL (tons)	Potential exvessel value based on proposed GHL and actual price (\$US)	Difference in potential exvessel values (\$US) from actual GHL to proposed GHL	Proposed percent of current GHL by formula
2005	55,962	20.0%	11,192	20.0%	11,192	11,366	538	6,021,554	4.5%	2,500	1,345,000	-4,676,554	22%
2006	52,059	20.0%	10,412	20.0%	10,412	9,967	264	2,748,725	4.8%	2,500	660,000	-2,088,725	24%
2007	59,519	20.0%	11,904	20.0%	11,904	11,571	493	5,868,600	4.2%	2,500	1,232,500	-4,636,100	21%
2008	87,715	20.0%	17,543	16.8%	14,723	14,386	620	10,876,660	2.9%	2,500	1,550,000	-9,326,660	14%
2009	72,521	20.0%	14,504	20.0%	14,508	14,755	860	12,473,612	3.4%	2,500	2,150,000	-10,323,612	17%
2010	91,467	20.0%	18,293	20.0%	18,293	17,602	690	12,622,446	2.7%	2,500	1,725,000	-10,897,446	14%
2011	97,449	20.0%	19,490	20.0%	19,490	19,419	266	5,184,287	2.6%	2,500	665,000	-4,519,287	13%
2012	144,143	20.0%	28,829	20.0%	28,829	13,232	630	18,162,018	3.5%	5,000	3,150,000	-15,012,018	17%
2013	76,988	20.0%	15,398	15.0%	11,549	5,688	780	12,010,128	3.2%	2,500	1,950,000	-10,060,128	16%
2014	81,663	20.0%	16,333	20.0%	16,333	16,957	180	2,939,868	3.1%	2,500	450,000	-2,489,868	15%
2015	44,237	19.7%	8,715	19.7%	8,712	8,756	250	2,178,672	0.0%	–	–	-2,178,672	0%
2016	74,707	20.0%	14,941	20.0%	14,941	9,769	250	3,735,350	3.3%	2,500	625,000	-3,110,350	17%
2017	73,245	20.0%	14,649	20.0%	14,649	13,923	308	4,511,892	3.4%	2,500	770,000	-3,741,892	17%
2018	55,637	20.0%	11,127	20.0%	11,128	2,926	343	3,816,698	4.5%	2,500	857,500	-2,959,198	22%
2019	64,343	20.0%	12,869	20.0%	12,869	nf	nf	nf	3.9%	2,500	nf	nf	19%
2020	212,330	20.0%	42,466	12.2%	25,824	nf	nf	nf	2.4%	5,000	nf	nf	12%
2021	210,453	20.0%	42,091	15.8%	33,304	15,578	300	12,627,300	2.4%	5,000	1,500,000	-11,127,300	12%
2022	225,820	20.0%	45,164	20.0%	45,164	25,090	300	13,549,200	2.2%	5,000	1,500,000	-12,049,200	11%
2023	150,617	20.0%	30,124	20.0%	30,124	10,199	300	9,037,200	3.3%	5,000	1,500,000	-7,537,200	17%
2024	406,228	20.0%	81,246	20.0%	81,246	NA	NA	NA	1.2%	5,000	NA	NA	6%
Avg 05–24	116,855	20.0%	23,364	19.0%	21,760	13,011	434	8,139,071	3.1%	3,125	1,272,353	-6,866,718	15%
Total 05–24	–	–	–	–	435,194	221,185	–	138,364,211	–	62,500	21,630,000	-116,734,211	–

^a Differs from harvest rate by formula in regulation when decrements were made to GHL as conservative measures to buffer against uncertainty.

Note: NA denotes that was not available at this time; nf denotes no fishery for these years; en dash denotes not applicable.

PROPOSAL 175 – 5 AAC 27.195. Sitka Sound commercial sac roe herring fishery.

PROPOSED BY: Andrew Thoms.

WHAT WOULD THE PROPOSAL DO? It would cap the allowable commercial harvest for the Sitka Sound sac roe herring fishery at 15,000 tons.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations limiting the absolute harvest amount.

The guideline harvest level for the herring sac roe fishery in Sections 13-A and 13-B shall be established by the department and will be a harvest rate percentage that is not less than 12 percent, not more than 20 percent, and within that range shall be determined by the following formula:

$$\text{Harvest Rate Percentage} = 2 + 8 [\text{Spawning Biomass (in tons)}] / 20,000.$$

The fishery will not be conducted if the spawning biomass is less than 25,000 tons.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It would limit harvest to no more than 15,000 tons annually, that would reduce the currently allowable harvest in some years, when the biomass is forecast to be above 75,000 tons. Reducing herring harvest by this amount may benefit the ecosystem and other user groups by an unknown extent but would reduce commercial harvest opportunity.

BACKGROUND: See background for proposal 171.

The department-recommended threshold, sliding scale and maximum harvest rate for Sitka Sound define a harvest strategy that is aligned with the latest studies for protecting herring, supporting the ecosystem and meeting the survival and breeding success of dependent predators. Capping the allowable harvest, as proposed, has the effect of increasingly reducing the harvest rate as the stock increases in biomass, that is counterintuitive to the currently designed sliding scale harvest rate strategy, that increases allowable harvest as the stock level increases. Over the past 20 years, the proposed cap would have taken effect in 9 seasons, reducing harvest rates and harvest for most of those years (Table 175-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 175-5.—Comparison of past and proposed commercial herring guideline harvest levels (GHL) for the Sitka Sound sac-roe fishery, 2005–2024.

Year	Forecast biomass (tons)	Harvest rate by formula in regulation	GHL by formula in regulation	Actual target HR ^a	Actual GHL (tons)	Actual harvest (tons)	Price \$/ton	Potential exvessel value based on actual GHL and price (\$US)	Proposed harvest rate ^b	Proposed GHL (tons) ^b	Potential exvessel value (\$US) based on proposed GHL and actual price	Difference in potential exvessel values (\$US) from actual GHL to proposed GHL	Difference in potential exvessel values (\$US) from harvest to proposed GHL	Proposed percent of current GHL by formula
2005	55,962	20.0%	11,192	20.0%	11,192	11,366	538	6,021,554	20.0%	11,192	6,021,554	0		100%
2006	52,059	20.0%	10,412	20.0%	10,412	9,967	264	2,748,725	20.0%	10,412	2,748,725	0		100%
2007	59,519	20.0%	11,904	20.0%	11,904	11,571	493	5,868,600	20.0%	11,904	5,868,600	0		100%
2008	87,715	20.0%	17,543	16.8%	14,723	14,386	620	10,876,660	16.8%	17,543	10,876,660	0		100%
2009	72,521	20.0%	14,504	20.0%	14,508	14,755	860	12,473,612	20.0%	14,504	12,473,612	0		100%
2010	91,467	20.0%	18,293	20.0%	18,293	17,602	690	12,622,446	16.4%	15,000	10,350,000	-2,272,446	-1,795,663	82%
2011	97,449	20.0%	19,490	20.0%	19,490	19,419	266	5,184,287	15.4%	15,000	3,990,000	-1,194,287	-1,175,513	77%
2012	144,143	20.0%	28,829	20.0%	28,829	13,232	630	18,162,018	10.4%	15,000	9,450,000	0		52%
2013	76,988	20.0%	15,398	15.0%	11,549	5,688	780	12,010,128	15.0%	15,398	12,010,128	0		100%
2014	81,663	20.0%	16,333	20.0%	16,333	16,957	180	2,939,868	18.4%	15,000	2,700,000	-239,868	-352,260	92%
2015	44,237	19.7%	8,715	19.7%	8,712	8,756	250	2,178,672	19.7%	8,715	2,178,672	0		100%
2016	74,707	20.0%	14,941	20.0%	14,941	9,769	250	3,735,350	20.0%	14,941	3,735,350	0		100%
2017	73,245	20.0%	14,649	20.0%	14,649	13,923	308	4,511,892	20.0%	14,649	4,511,892	0		100%
2018	55,637	20.0%	11,127	20.0%	11,128	2,926	343	3,816,698	20.0%	11,127	3,816,698	0		100%
2019	64,343	20.0%	12,869	20.0%	12,869	nf	nf	nf	20.0%	12,869	nf	nf	nf	100%
2020	212,330	20.0%	42,466	12.2%	25,824	nf	nf	nf	7.1%	15,000	nf	nf	nf	35%
2021	210,453	20.0%	42,091	15.8%	33,304	15,578	300	12,627,300	7.1%	15,000	4,500,000	-8,127,300	-173,400	36%
2022	225,820	20.0%	45,164	20.0%	45,164	25,090	300	13,549,200	6.6%	15,000	4,500,000	-9,049,200	-3,027,000	33%
2023	150,617	20.0%	30,124	20.0%	30,124	10,199	300	9,037,200	10.0%	15,000	4,500,000	-4,537,200		50%
2024	406,228	20.0%	81,246	20.0%	81,246	NA	NA	NA	3.7%	15,000	NA	NA	NA	18%
Avg	116,855	20.0%	23,364	19.0%	21,760	13,011	434	8,139,071	15.3%	13,913	6,131,288	-1,495,312	-1,304,767	79%
Total	–	–	–	–	435,194	221,185	–	138,364,211	–	278,254	104,231,892	-25,420,301	-6,523,835	–

^a Differs from harvest rate by formula in regulation when decrements were made to GHL as conservative measures to buffer against uncertainty.

Note: NA denotes that data was not available at this time; nf denotes no fishery for these years; en dash denotes not applicable; grey boxes signify years when the GHL exceeded 15,000 tons.

Note: Prior to 2005, no GHL exceeded 15,000 tons.

PROPOSAL 176 – 5 AAC 27.160. Quotas and Guideline Harvest Levels for Southeastern Alaska Area.

PROPOSED BY: Sitka Tribe of Alaska.

WHAT WOULD THE PROPOSAL DO? Reduce the maximum allowable commercial harvest rate for herring in Sitka Sound from 20% to 10% when the stock is above threshold.

WHAT ARE THE CURRENT REGULATIONS? The guideline harvest level for the herring sac roe fishery in Sections 13-A and 13-B shall be established by the department and will be a harvest rate percentage that is not less than 12 percent, not more than 20 percent, and within that range shall be determined by the following formula:

Harvest Rate Percentage = $2 + 8 \text{ [Spawning Biomass (in tons)]} / 20,000$.

The fishery will not be conducted if the spawning biomass is less than 25,000 tons.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would create a cap of a 10% harvest rate when the stock is above threshold. This would result in GHLS being reduced by as much as half relative to the current harvest strategy. Reducing herring harvest by this amount may benefit the ecosystem and other user groups by an unknown extent but would reduce commercial harvest opportunity.

BACKGROUND: See background for proposal 171.

The department-recommended changes are supported by best practices for prey species and the latest studies to achieve the ecosystem resilience and needs of dependent predators that the current proposal requests. If the proposed harvest rate had been applied to fisheries over the last 20 years, harvest and exvessel value would have been substantially less for most years (Table 176-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Reducing the harvest rate to this level is considered by the department to be greater than necessary for protecting the stock and the ecosystem.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 176-6.—Comparison of past and proposed commercial herring harvest rates and guideline harvest levels for the Sitka Sound sac-roe fishery, 2005–2024.

Year	Forecast biomass (tons)	Harvest rate by formula in regulation	GHL by formula in regulation	Actual target HR ^a	Actual GHL (tons)	Actual harvest (tons)	Price \$/ton	Potential exvessel value based on actual GHL and price (\$US)	Proposed harvest rate	Proposed GHL (tons)	Potential exvessel value (\$US) based on proposed GHL and actual price	Difference in potential exvessel values (\$US) from actual GHL to proposed GHL	Proposed percent of current GHL by formula
2005	55,962	20.0%	11,192	20.0%	11,192	11,366	538	6,021,554	10.0%	5,596	3,010,777	-3,010,777	50%
2006	52,059	20.0%	10,412	20.0%	10,412	9,967	264	2,748,725	10.0%	5,206	1,374,363	-1,374,363	50%
2007	59,519	20.0%	11,904	20.0%	11,904	11,571	493	5,868,600	10.0%	5,952	2,934,300	-2,934,300	50%
2008	87,715	20.0%	17,543	16.8%	14,723	14,386	620	10,876,660	10.0%	8,772	5,438,330	-5,438,330	50%
2009	72,521	20.0%	14,504	20.0%	14,508	14,755	860	12,473,612	10.0%	7,252	6,236,806	-6,236,806	50%
2010	91,467	20.0%	18,293	20.0%	18,293	17,602	690	12,622,446	10.0%	9,147	6,311,223	-6,311,223	50%
2011	97,449	20.0%	19,490	20.0%	19,490	19,419	266	5,184,287	10.0%	9,745	2,592,143	-2,592,143	50%
2012	144,143	20.0%	28,829	20.0%	28,829	13,232	630	18,162,018	10.0%	14,414	9,081,009	-9,081,009	50%
2013	76,988	20.0%	15,398	15.0%	11,549	5,688	780	12,010,128	10.0%	7,699	6,005,064	-6,005,064	50%
2014	81,663	20.0%	16,333	20.0%	16,333	16,957	180	2,939,868	10.0%	8,166	1,469,934	-1,469,934	50%
2015	44,237	19.7%	8,715	19.7%	8,712	8,756	250	2,178,672	10.0%	4,424	1,105,925	-1,072,747	51%
2016	74,707	20.0%	14,941	20.0%	14,941	9,769	250	3,735,350	10.0%	7,471	1,867,675	-1,867,675	50%
2017	73,245	20.0%	14,649	20.0%	14,649	13,923	308	4,511,892	10.0%	7,325	2,255,946	-2,255,946	50%
2018	55,637	20.0%	11,127	20.0%	11,128	2,926	343	3,816,698	10.0%	5,564	1,908,349	-1,908,349	50%
2019	64,343	20.0%	12,869	20.0%	12,869	nf	nf	nf	10.0%	6,434	nf	nf	50%
2020	212,330	20.0%	42,466	12.2%	25,824	nf	nf	nf	10.0%	21,233	nf	nf	50%
2021	210,453	20.0%	42,091	15.8%	33,304	15,578	300	12,627,300	10.0%	21,045	6,313,590	-6,313,710	50%
2022	225,820	20.0%	45,164	20.0%	45,164	25,090	300	13,549,200	10.0%	22,582	6,774,600	-6,774,600	50%
2023	150,617	20.0%	30,124	20.0%	30,124	10,199	300	9,037,200	10.0%	15,062	4,518,510	-4,518,690	50%
2024	406,228	20.0%	81,246	20.0%	81,246	NA	NA	NA	10.0%	40,623	NA	NA	50%
Avg 05–24	116,855	20.0%	23,364	19.0%	21,760	13,011	434	8,139,071	10.0%	11,686	4,070,503	-4,068,569	50%
Total 05–24	–	–	–	–	435,194	221,185	–	138,364,211	–	233,710	69,198,544	-69,165,667	–

^a Differs from harvest rate by formula in regulation when decrements were made to GHL as conservative measures to buffer against uncertainty.

Note: NA denotes that data was not available at this time; nf denotes no fishery for these years; en dash denotes not applicable.

PROPOSAL 177 – 5 AAC 27.160. Quotas and Guideline Harvest Levels for Southeastern Alaska Area.

PROPOSED BY: Sitka Tribe of Alaska.

WHAT WOULD THE PROPOSAL DO? It would 1) reduce the minimum allowable commercial harvest rate for herring in Sitka Sound from 12% to 10% when the stock is above threshold, 2) change the harvest rate formula to be more conservative and similar to the rest of Southeast Alaska, and 3) increase the fishery threshold from 25,000 tons to 50,000 tons.

WHAT ARE THE CURRENT REGULATIONS? (g) The guideline harvest level for the herring sac roe fishery in Sections 13-A and 13-B shall be established by the department and will be a harvest rate percentage that is not less than 12 percent, not more than 20 percent, and within that range shall be determined by the following formula:

Harvest Rate Percentage = $2 + 8 [\text{Spawning Biomass (in tons)}] / 20,000$.

The fishery will not be conducted if the spawning biomass is less than 25,000 tons.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It would elevate the biomass necessary to conduct a commercial fishery, potentially reducing fishing opportunity for some years. It would also reduce the allowable harvest rate for any given biomass level, below what is currently allowed. Reducing herring harvest by this amount may benefit the ecosystem and other user groups by an unknown extent but would reduce commercial harvest opportunity. Under proposed harvest strategy, the maximum harvest rate of 20% would be realized at 6 times the threshold, but due to the large threshold, a 20% harvest rate would only be realized at biomass estimates that are approximately 300% of average unfished biomass (Figure 177-1). This would make achieving the maximum harvest rate a rare occurrence.

BACKGROUND: See background for Proposal 171.

The proposed slope of the sliding scale (that is used for other Southeast Alaska herring stocks, reaching maximum harvest rate at 6 times the threshold), was developed for species for which an estimate of average unfished biomass was not known. To be precautionary, it is extremely gradual to account for uncertainty surrounding the magnitude of the thresholds relative to an unknown unfished state. If applied to Sitka Sound herring, for which average unfished biomass has been recently estimated, the sliding scale would be so gradual that reaching a 20% harvest rate will rarely occur. This is inconsistent with the goal of a threshold, sliding-scale harvest control rule, that is to reduce the harvest rate when a population falls below some proportion of the average unfished biomass. If the proposed harvest rate had been applied to fisheries over the last 20 years, harvest and exvessel value would have been substantially less for most years (Table 177-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Reducing the harvest rate and increasing the threshold to these levels are considered by the department to be greater than necessary for protecting the stock and the ecosystem.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department

Table 177-7.—Comparison of past and proposed commercial herring harvest rates and guideline harvest levels for the Sitka Sound sac-roe fishery, 2005–2024.

Year	Forecast biomass (tons)	Harvest rate by formula in regulation	GHL by formula in regulation	Actual target HR ^a	Actual GHL (tons)	Actual harvest (tons)	Price \$/ton	Potential exvessel value based on actual GHL and price (\$US)	Proposed harvest rate	Proposed GHL (tons)	Potential exvessel value (\$US) based on proposed GHL and actual price	Difference in potential exvessel values (\$US) from actual GHL to proposed GHL	Proposed percent of current GHL by formula
2005	55,962	20.0%	11,192	20.0%	11,192	11,366	538	6,021,554	10.2%	5,730	3,082,583	-2,938,971	51%
2006	52,059	20.0%	10,412	20.0%	10,412	9,967	264	2,748,725	10.1%	5,249	1,385,683	-1,363,042	50%
2007	59,519	20.0%	11,904	20.0%	11,904	11,571	493	5,868,600	10.4%	6,179	3,046,030	-2,822,571	52%
2008	87,715	20.0%	17,543	16.8%	14,723	14,386	620	10,876,660	11.5%	10,095	6,258,756	-4,617,904	58%
2009	72,521	20.0%	14,504	20.0%	14,508	14,755	860	12,473,612	10.9%	7,905	6,798,642	-5,674,970	55%
2010	91,467	20.0%	18,293	20.0%	18,293	17,602	690	12,622,446	11.7%	10,664	7,358,053	-5,264,393	58%
2011	97,449	20.0%	19,490	20.0%	19,490	19,419	266	5,184,287	11.9%	11,594	3,084,122	-2,100,165	59%
2012	144,143	20.0%	28,829	20.0%	28,829	13,232	630	18,162,018	13.8%	19,842	12,500,663	-5,661,355	69%
2013	76,988	20.0%	15,398	15.0%	11,549	5,688	780	12,010,128	11.1%	8,530	6,653,323	-5,356,805	55%
2014	81,663	20.0%	16,333	20.0%	16,333	16,957	180	2,939,868	11.3%	9,201	1,656,104	-1,283,764	56%
2015	44,237	19.7%	8,715	19.7%	8,712	8,756	250	2,178,672	0.0%	–	–	-2,178,672	0%
2016	74,707	20.0%	14,941	20.0%	14,941	9,769	250	3,735,350	11.0%	8,209	2,052,254	-1,683,096	55%
2017	73,245	20.0%	14,649	20.0%	14,649	13,923	308	4,511,892	10.9%	8,006	2,465,704	-2,046,188	55%
2018	55,637	20.0%	11,127	20.0%	11,128	2,926	343	3,816,698	10.2%	5,689	1,951,379	-1,865,320	51%
2019	64,343	20.0%	12,869	20.0%	12,869	nf	nf	nf	10.6%	6,803	nf	nf	53%
2020	212,330	20.0%	42,466	12.2%	25,824	nf	nf	nf	16.5%	35,020	nf	nf	82%
2021	210,453	20.0%	42,091	15.8%	33,304	15,578	300	12,627,300	16.4%	34,552	10,365,728	-2,261,572	82%
2022	225,820	20.0%	45,164	20.0%	45,164	25,090	300	13,549,200	17.0%	38,463	11,539,041	-2,010,159	85%
2023	150,617	20.0%	30,124	20.0%	30,124	10,199	300	9,037,200	14.0%	21,124	6,337,066	-2,700,134	70%
2024	406,228	20.0%	81,246	20.0%	81,246	NA	NA	NA	20.0%	81,246	NA	NA	100%
Avg 05–24	116,855	20.0%	23,364	19.0%	21,760	13,011	434	8,139,071	12.0%	16,705	5,090,302	-3,048,770	60%
Total 05–24	–	–	–	–	435,194	221,185	–	138,364,211	–	334,101	86,535,129	-51,829,082	–

^a Differs from harvest rate by formula in regulation when decrements were made to GHL as conservative measures to buffer against uncertainty.

Note: NA denotes that data was not available at this time; nf denotes no fishery for these years; en dash denotes not applicable.

Note: Prior to 2005, the forecast exceeded 50,000 tons in 5 years: 1989 (highest at 58,500 tons), 1997, 2001, 2002, 2004.

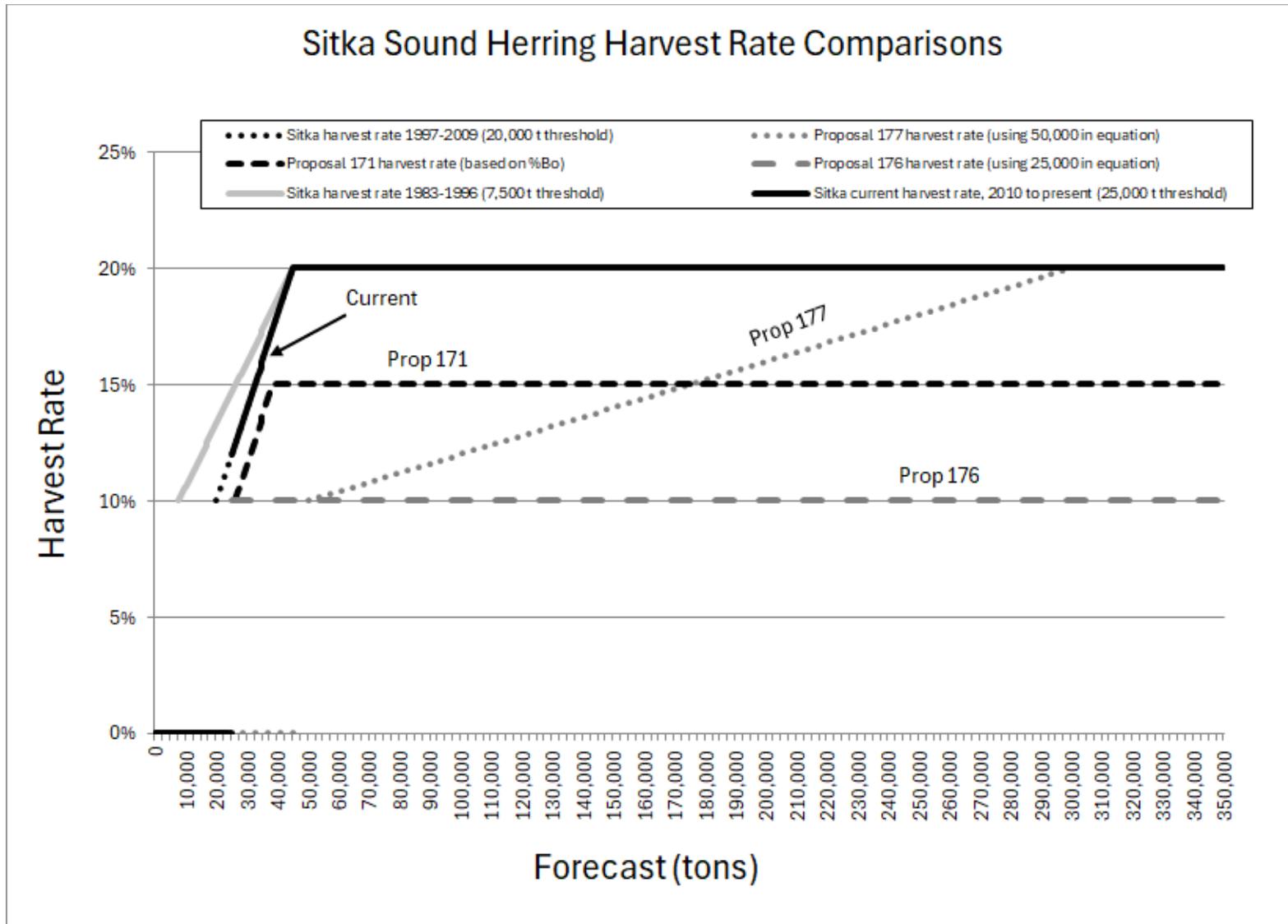


Figure 177-1.—Comparison of past, current, and proposed commercial harvest rate scenarios for Sitka Sound herring over a range of forecasted biomass.

PROPOSAL 178 – 5 AAC 27.150. Waters closed to herring fishing in Southeast Alaska Area.

PROPOSED BY: Herring Protectors.

WHAT WOULD THE PROPOSAL DO? This would direct the board to designate Sitka Sound north of the latitude of Dorothy Narrows a fish reserve for spawning herring during the months of February, March, and April and close those waters to commercial herring fishing.

WHAT ARE THE CURRENT REGULATIONS? Closed waters for commercial herring fishing in District 13 encompass roughly 16.5 square miles of near shore waters in north Sitka Sound. Additionally, 2 square miles of Sitka Sound are closed to commercial herring fishing under federal regulation; a portion of this closure is also closed in state closed waters regulations (Figure 178-1).

The department is directed by the *Sitka Sound commercial sac roe herring fishery management plan* (5 AAC 27.195) to distribute the commercial harvest, by time and area if the department determines that it is necessary to ensure a reasonable opportunity to harvest the amount of herring spawn for subsistence use specified in *Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses* (5 AAC 01.716).

Regulations of the Board of Fisheries (AS 16.05.251[a][1]) grants the board authority to set apart fish reserve areas, refuges, and sanctuaries in the waters of the state of which it has jurisdiction, subject to the approval of the legislature.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? By expanding closed waters for commercial herring fishing in Sitka Sound to include all waters of Section 13-A south of the latitude of Point Kakul, and in Section 13-B north of the latitude of Dorothy Narrows (Figure 178-1), commercial opportunity would be significantly reduced or eliminated in most years. This would likely result in not achieving the commercial sac roe guideline harvest level in a given year. A reduction in commercial harvest may benefit the ecosystem and other user groups by an unknown extent.

The effect of the proposal on the subsistence harvest of herring roe is unclear due to several factors unrelated to the commercial harvest affect the success of the subsistence harvest. These factors include natural variability in spawn distribution and timing, weather patterns, and the number of individuals attempting to harvest for subsistence purposes. Changes in herring spawn distribution within Sitka Sound would be expected to affect overall harvesting success the most.

BACKGROUND: The Sitka Sound herring stock has been the largest and most stable stock in the region for decades and there are currently no conservation concerns with this stock. The harvest rate strategy proposed for Sitka Sound (see Proposal 171) is comparable to strategies recommended for prey (forage, low-trophic) species in global meta-analyses, although lower maximum harvest rates have recently been applied to herring stocks in the North Pacific. To ensure a reasonable opportunity to harvest necessary amounts of herring roe in the subsistence fishery, the department relies on its ability to distribute the commercial herring harvest with respect to space and time. Additionally, existing waters closed to commercial herring harvest provide separation between commercial and subsistence fishing activity.

In 2012, the board established 10 square nautical miles of closed waters for the Sitka Sound commercial herring sac roe fishery for the purpose of reducing conflict between commercial and

subsistence users. In 2018, the board expanded these closed waters by approximately 6.5 square nautical miles. The closed area is considered a key staging area for prespawning herring with a significant portion of the biomass often staging in this area prior to dispersing to the beaches to spawn. Additionally, this area is relatively close to the city of Sitka and the bottom substrate is generally preferred by subsistence users. This area is historically a high use subsistence harvest area and had also been important for providing commercial harvest opportunity.

Since 2002, the department has conducted an annual subsistence household survey designed to estimate the subsistence harvest of herring spawn in Sitka Sound. The survey results show that harvest effort is concentrated on an area centered around Middle Island and the Kasiana Island group (Figure 179-1). Following the implementation of the closed waters from 2012–2019, the success rate that is defined as the percentage of households attempting to harvest herring spawn that did so successfully, annual roe harvest, and harvest per household have remained generally constant; however, over the same time period, the number of households attempting to harvest decreased. In 2018 and 2019, there was essentially a lack of herring spawn within the closed area, that likely contributed to the lower harvest in those years. Following a low point for harvest and effort in 2020 (largely driven by the COVID-19 pandemic) the success rate, effort, and overall harvest has steadily increased. In 2009, the board modified the ANS for herring spawn in Sitka Sound to a range of 136,000–227,000 pounds of herring spawn. From 2002 through 2011, harvests were within or above the ANS range 6 times and below 3 times; from 2012 through 2023, harvests were within the ANS range once and below 11 times (Figure 173-1).

Herring spawning activity in Sitka Sound typically occurs during the months of March and April. While herring spawn has been documented as late as early May, spawn has never been observed in February. The Sitka Sound herring sac roe commercial fishery has only taken place during the months of March and April. The area south of Dorothy Narrows is typically one of the later areas of Sitka Sound to receive spawn and successful fisheries in this area are later in the season as well. Likely due to more mixing of juvenile fish, the quality of herring (i.e., average weight and mature roe percentage) in this area tends to be less consistent than other areas in Sitka Sound. From 2015–2024, the waters south of the latitude of Dorothy Narrows have been opened for commercial harvest in the Sitka Sound herring sac roe in 4 of 10 years.

AS 16.05.251(a)(1) allows the board to set apart fish reserve areas, refuges, and sanctuaries in the waters of the state of which it has jurisdiction, subject to the approval of the legislature. Throughout Alaska, the board has not yet established a fish reserve area. Designating an area a fish reserve does not by default close an area to commercial fishing.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Designating an area as a fish reserve does not automatically close waters to commercial fishing. The board would need to explicitly specify what harvest activities would be allowed in this area. Additionally, if the board did adopt this proposal and create a fishery reserve the outcome would be dependent on approval of the legislature.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined under 5 AAC 01.716(a)(11)(D)(i) and (ii) that herring and herring spawn in the waters of Section 13-A and in the waters of Section 13-B north of the latitude of Aspid Cape are customarily and traditionally taken for subsistence uses.

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence uses? The board has established a range of 136,000–227,000 pounds of herring spawn that are reasonably necessary for subsistence uses in Section 13-A and Section 13-B north of the latitude of Aspid Cape (5 AAC 01.716(b)).

5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

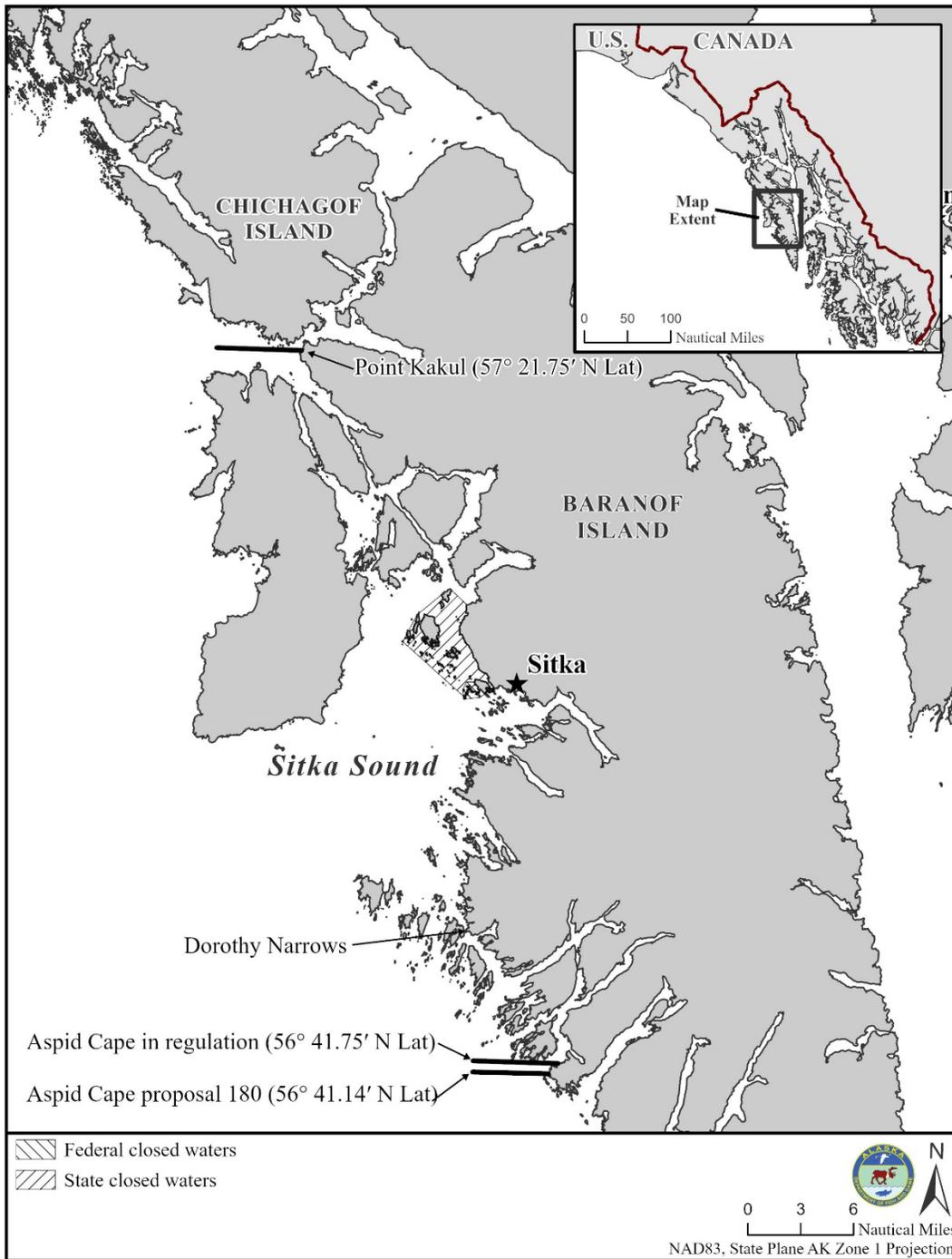


Figure 178-1.—Current and proposed boundaries of the Sitka Sound commercial herring sac roe fishery for proposal 178 (Dorothy Narrows) and proposal 180 (Aspid Cape).

PROPOSAL 179 – 5 AAC 27.150. Waters closed to herring fishing in Southeast Alaska Area.

PROPOSED BY: Steve Johnson.

WHAT WOULD THE PROPOSAL DO? Waters closed to commercial herring fisheries in Sitka Sound would be expanded to include the waters of Promisla Bay.

WHAT ARE THE CURRENT REGULATIONS? Closed waters for commercial herring fishing in District 13 encompass roughly 16.5 square nautical miles of near shore waters in north Sitka Sound. Additionally, 2 square miles of Sitka Sound are closed to commercial herring fishing under federal regulation; a portion of this closure is also closed in state closed waters regulations (Figure 179-1).

The department is directed by the *Sitka Sound commercial sac roe herring fishery* (5 AAC 27.195) to distribute the commercial harvest, by time and area, if the department determines that it is necessary to ensure a reasonable opportunity to harvest the amount of herring spawn for subsistence use specified in *Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses* (5 AAC 01.716).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Closed waters for commercial herring fishing in Sitka Sound would be expanded by approximately 0.5 square nautical miles and would include the waters of Promisla Bay. The reduced fishing area may result in not achieving the commercial sac roe guideline harvest level, harvesting lower quality sac roe herring, or extending the duration of the season in some years. A reduction in commercial harvest may benefit the ecosystem and other user groups by an unknown extent.

The effect of the proposal on the subsistence harvest of herring roe is unclear due to several factors unrelated to the commercial harvest affect the success of the subsistence harvest. These factors include natural variability in spawn distribution and timing, weather patterns, and the number of individuals attempting to harvest for subsistence purposes. Changes in herring spawn distribution within Sitka Sound would be expected to affect overall harvesting success the most.

BACKGROUND: In 2012, the board established 10 square nautical miles of closed waters for the Sitka Sound commercial herring sac roe fishery for the purpose of reducing conflict between commercial and subsistence users. In 2018, the board expanded these closed waters by approximately 6.5 square nautical miles. The current closed area is considered a key staging area for prespawning herring with a significant portion of the biomass often staging in this area prior to dispersing to the beaches to spawn. Additionally, this area is relatively close to the city of Sitka and the bottom substrate is generally preferred by subsistence users.

Since 2002, the department has conducted an annual subsistence household survey designed to estimate the subsistence harvest of herring spawn in Sitka Sound. The survey results show that harvest effort is concentrated on an area centered around Middle Island and the Kasiana Island group (Figure 179-1). Following the implementation of the closed waters from 2012–2019, the success rate that is defined as the percentage of households attempting to harvest herring spawn that did so successfully, annual roe harvest, and harvest per household have remained generally constant; however, over the same time period, the number of households attempting to harvest decreased. In 2018 and 2019, there was essentially a lack of herring spawn within the closed area, that likely contributed to the lower harvest in those years. Following a low point for harvest and

effort in 2020 (largely driven by the COVID-19 pandemic) the success rate, effort, and overall harvest has steadily increased. In 2009, the board modified the ANS for herring spawn in Sitka Sound to a range of 136,000–227,000 pounds of herring spawn. From 2002 through 2011, harvests were within or above the ANS range 6 times and below 3 times; from 2012 through 2023, harvests were within the ANS range once and below 11 times (Figure 179-2).

Promisla Bay is a known subsistence harvest area and can be important for providing commercial harvest opportunity. Since 2015, the commercial herring sac roe fishery had openings in the proposed closed waters in 4 of 10 years. In the subsistence household survey, harvest data for Eastern Bay and Promisla Bay are combined for reporting purposes. Since 2014, 0% to 45.5% of surveyed households reported harvesting subsistence herring roe in Eastern and Promisla Bays. The importance of individual areas of Sitka Sound for subsistence roe harvest is likely influenced largely by herring spawn distribution in a given year. For example, from 2018–2020, herring spawn distribution shifted to northern areas of Sitka Sound. During these years, according to the subsistence household survey, the areas of Eastern and Promisla Bays became more important places to harvest herring roe. When herring spawn distribution returned to more normal patterns in 2021, the use of Eastern and Promisla Bays for the harvest of herring roe remained high relative to previous use patterns.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined under 5 AAC 01.716(a)(11)(D)(i) and (ii) that herring and herring spawn in the waters of Section 13-A and in the waters of Section 13-B north of the latitude of Aspid Cape are customarily and traditionally taken for subsistence uses.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established a range of 136,000–227,000 pounds of herring spawn that are reasonably necessary for subsistence uses in Section 13-A and Section 13-B north of the latitude of Aspid Cape (5 AAC 01.716(b)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

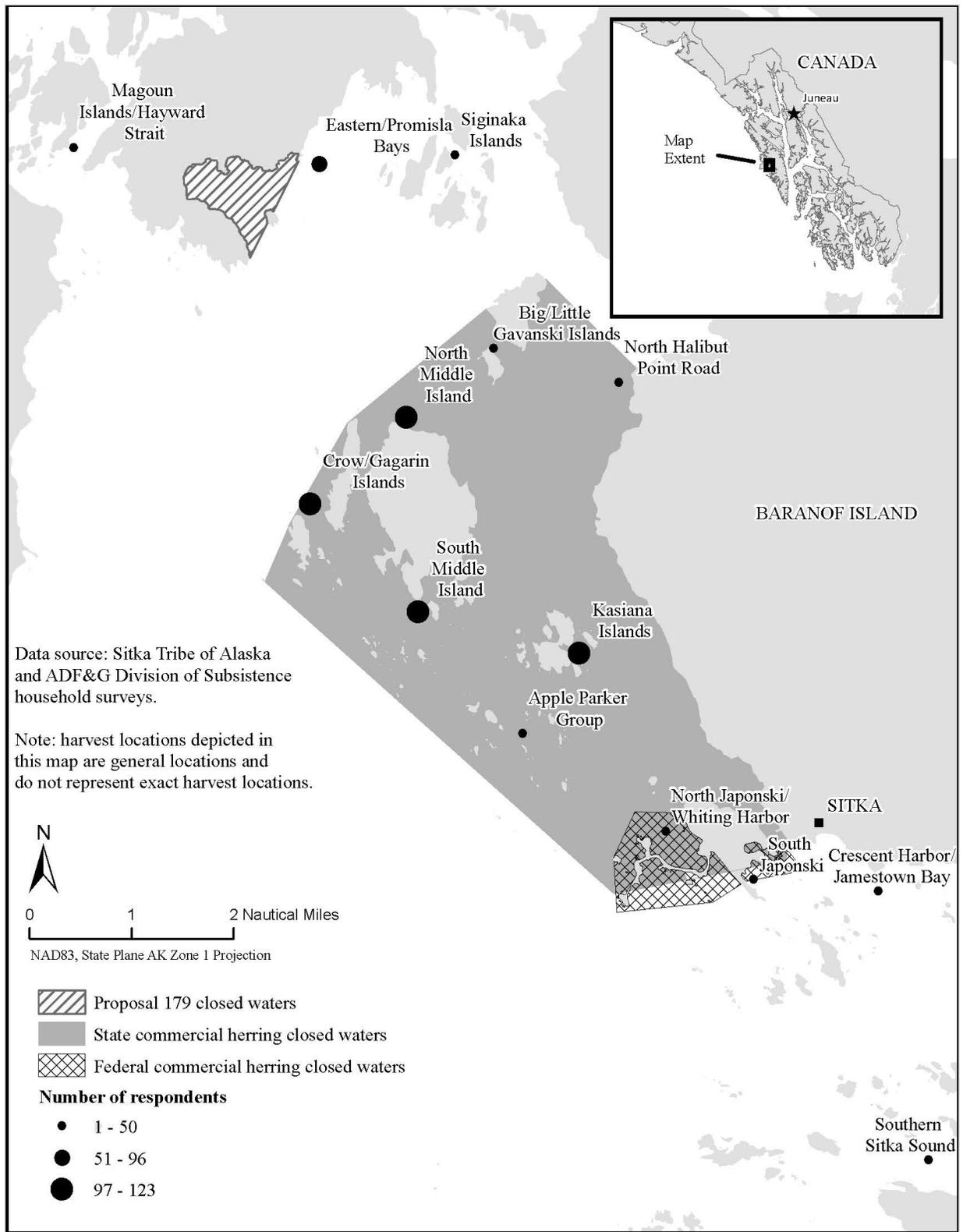


Figure 179-1.—Current and proposed closed waters to commercial herring fishing in Sitka Sound, and number of respondents reporting harvesting subsistence herring spawn by general location, 2011–2023.

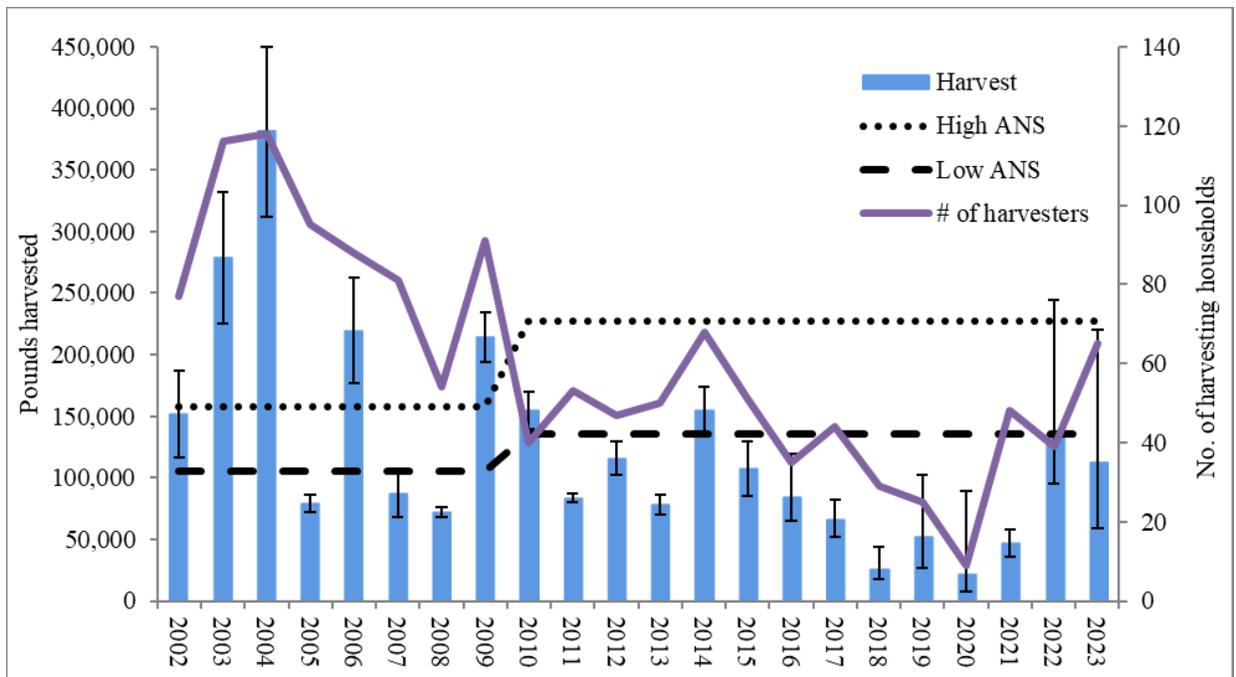


Figure 179-2.—Total pounds harvested, number of harvesting households, and ANS for subsistence use of herring spawn on kelp and branches in Sitka Sound, 2002–2023.

PROPOSAL 180 – 5 AAC 27.110. Fishing Seasons for Southeastern Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would align the latitude of Aspid Cape with the actual location of Aspid Cape for the southern boundary of the Sitka Sound herring sac roe purse seine fishery.

WHAT ARE THE CURRENT REGULATIONS? Herring may be taken for the Sitka Sound herring fishery in Section 13-A south of the latitude of Point Kakul, and in Section 13-B north of the latitude of Aspid Cape, except for Whale and Necker Bays (Figure 180-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The latitude would be the actual location of Aspid Cape. The latitude described in regulation would be moved approximately 0.6 nautical miles south (Figure 180-1). This will improve the clarity of the southern boundary of the Sitka Sound herring sac roe fishery.

BACKGROUND: The current definition of Aspid Cape as the southern boundary for Section 13-B has been in place since 2001. The proposed latitude of Aspid Cape is consistent with its location as it appears on current NOAA nautical charts.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. An alternative solution would be to delete the reference to Aspid Cape so just the latitude currently described in regulation defines the southern boundary.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

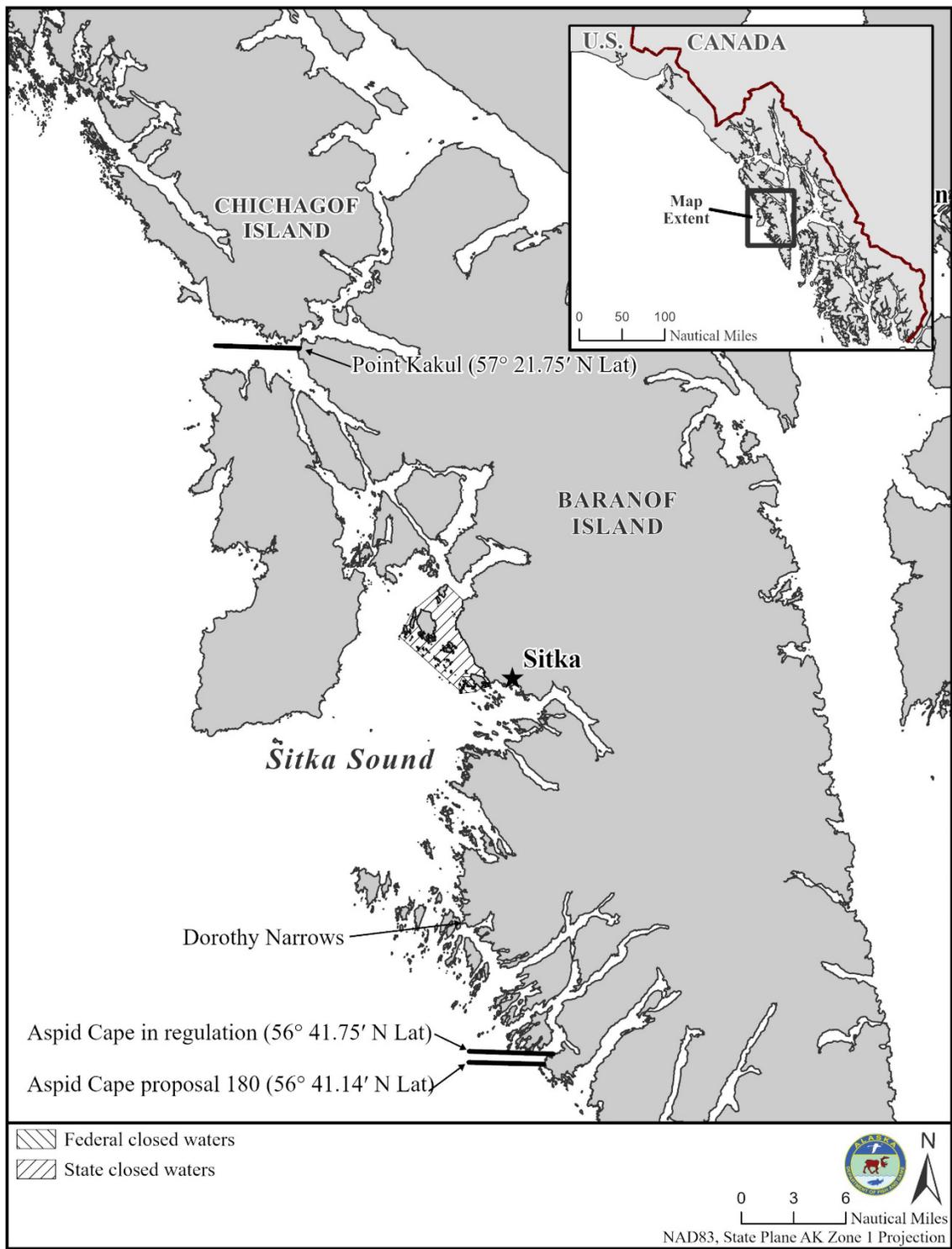


Figure 180-1.—Current and proposed boundaries of the Sitka Sound herring sac roe fishery for proposal 178 (Dorothy Narrows) and proposal 180 (Aspid Cape).

PROPOSAL 181 – 5 AAC 27.195. Sitka Sound commercial sac roe herring fishery.

PROPOSED BY: Sitka Tribe of Alaska.

WHAT WOULD THE PROPOSAL DO? This would limit the number of test sets that may be conducted per day and per season, require roe testing to be conducted via jig sample if the average roe percent is below 10%, require the department to record the number, size, and locations of released commercial sets, and close a commercial fishing period if 3 commercial sets are released.

WHAT ARE THE CURRENT REGULATIONS? The *Management guidelines for commercial herring sac roe fisheries* (5 AAC 27.059) directs the department to manage herring sac roe fisheries to enhance the value of landed product by opening during specific times and in areas where roe content is likely to be at its highest and herring the largest as demonstrated by sampling. In addition, the plan directs the department to avoid areas where smaller, immature herring are found through sampling efforts.

The department is directed by the *Sitka Sound commercial sac roe herring fishery* (5 AAC 27.195) to distribute the commercial harvest by time and area if the department determines that it is necessary to ensure a reasonable opportunity to harvest the amount of herring spawn for subsistence use specified in *Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses* (5 AAC 01.716).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Limiting the number of test sets allowed per day, per season, and limiting the estimated volume of fish captured could diminish the department's ability to increase the value of landed product in the Sitka Sound herring sac roe fishery and increase the likelihood of encountering immature herring during a fishery. This would also limit the department's ability to distribute the herring harvest by area. Limiting the number of test sets as proposed may decrease the number of herring handled over the course of the fishery. While believed to be low, the incidental mortality of herring caught in a test set may be reduced in some years.

Requiring the use of rod and reel (jig samples) to show a minimum of 10% average mature roe content prior to allowing the use of purse seine vessels to conduct sampling (test setting) would likely result in unnecessary delays in conducting test setting that could lead to lost commercial harvest opportunity or could produce misleading assessments of herring quality.

Requiring a fishery opening to close if 3 sets are released for any reason could result in an unnecessary closure of that fishery opening, that could result in lost harvest opportunity or an increase in the duration of the season if more openings are required to achieve market demands. This would also potentially reduce the number of unmarketable herring that are handled during a fishery opening.

The department would be able to keep an official log of the number, size, and location of every commercial set made in the fishery; however, to comply with this it would likely result in increased staff time needed to monitor, collect, and record these data. This would likely increase costs associated with additional staff time.

BACKGROUND: Test setting is a crucial tool used by the department to manage the Sitka Sound herring sac roe fishery to maximize the value of the fishery by identifying schools of herring of marketable size and mature roe percentage. Herring mortality associated with test sets is likely minimal and there is no evidence that the small number of fish taken has any measurable impact

on health of the herring population in Sitka Sound. Once an area of fishable biomass is identified through sonar surveys, test sets are authorized to sample herring to determine the quality of the herring throughout the area considered for a commercial fishery. Test setting is only authorized by department staff on the grounds and is directed in very specific areas. Only the minimum number of test sets needed to determine fish quality and distribution are authorized for a specific area. Generally, 2 or 3 test sets are sought to determine quality within a particular area that is being considered for commercial opportunity. If multiple areas are being considered on a single day, more than 3 test sets could be authorized. For each test set, the time, location, set size, and results of herring quality testing are collected and reported in fishery updates issued through the department's advisory announcement system.

Department staff are typically on site to monitor test sets and to collect samples. Samples are collected as quickly as possible to limit the amount of time herring are held in the seine net. An estimate of set size is made to determine if the set is representative of the herring in the areas. Overly large sets are discouraged from being made. Test set size estimates are not considered to be as reliable as set sizes estimated during a fishery. During a test set the seine net is retrieved just enough to permit sample collection, making accurate estimation of set size difficult; when set sizes are estimated during a commercial fishery, the nets are fully retrieved making estimation much more accurate.

While the total number of test sets conducted during a season can vary greatly, the number of test sets conducted per day is consistent among years. From 2014–2024 an average of 22 were made per year, ranging from 5 to 53 test sets per year. During this time the average number of test sets conducted per day was 2 test sets. The number of test sets made annually largely depends on the overall quality and distribution of the herring in that year. In years where herring quality is consistent and the fish are located in fishable areas in sufficient volume to support a fishery, the number of test sets needed to conduct the fishery is reduced. During years where herring quality is highly variable, or fish distribution is not conducive to a successful fishery, the number of test sets may be increased. Once fish quality has been well established in a particular area, the need for test setting decreases drastically.

Rod and reel (jig samples) samples are unreliable and are rarely used in the management of the Sitka Sound herring sac roe fishery. Jig samples are typically used on an informal basis when purse seine vessels are unavailable to conduct test sets in a particular location. Sample sizes for jig samples are not sufficient for a reliable determination of herring quality.

The department and AWT collect information on the status of most sets made during a commercial fishery opening. Information collected includes time of the set, location, a set size estimate, and the status of the set is continually updated until the herring are offloaded. Information collected from individual sets is considered confidential and these data are not released to the public. Given the nature of the herring sac roe fishery and constraints on staff time, it is not always possible to monitor every set made during a fishery opening. If a set is released, department personnel attempt to determine the reason but it is often not possible in the middle of a fishery. During a commercial herring sac roe fishery, sets are sometimes released for reasons that include (but not limited to) low quality herring (i.e., low roe percentage and undesirable size), missed sets, or gear malfunctions. Sets confirmed to be released due to poor quality are monitored by the department. Since 2021, the department has informally adopted the limit of 3 sets released due to poor herring quality as the criteria to enact a specific area closure during an opening or closing the fishing period all together; however, a judgement call is made on the grounds whether the number of released

sets warrants a closure of the fishery. Additionally, if an entire commercial set is lost or a large portion of the set is “slipped”, the department uses the set estimates to estimate the total mortality of herring in that set. These estimates are used for the total harvest mortality for the fishery.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The current management of the test setting program is considered conservative and is necessary for the department to manage the fishery in accordance with existing management plans. The department has the authority to close an opening based on poor herring quality. The information currently collected by the department from commercial sets made during a fishery is sufficient to support the management of the fishery.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal may result in an additional cost for the department to provide sufficient staff time in order to ensure a complete log of the status of all commercial sets is maintained.

PROPOSAL 182 – 5 AAC 27.XXX. New Section.

PROPOSED BY: Darrel Kapp.

WHAT WOULD THE PROPOSAL DO? This would allow herring sac roe purse seine (G01A) permit holders participating in the Sitka Sound herring sac roe fishery the choice of fishing open harvest pound gear to produce herring spawn-on-kelp (SOK) in lieu of using purse seine gear to harvest herring in the Sitka Sound herring sac roe fishery.

WHAT ARE THE CURRENT REGULATIONS? The only commercial herring sac roe fishery allowed in Section 13-A south of the latitude of Point Kakul, and in Section 13-B north of the latitude of Aspid Cape, except for Whale and Necker Bays, is the Sitka Sound herring sac roe purse seine fishery. An open pound is defined as a single, floating, rectangular structure with suspended kelp and no webbing or lead used to hold or guide herring that is used to produce SOK; the inside surface area may not exceed 2,400 square feet and no 1 side may be longer than 60 feet. A “lead” is a length of net employed for guiding herring to a pound. Open pounds are not a legal gear type in the Sitka Sound herring fishery. Additionally, CFEC regulations (20 AAC 05.230[a][9]) have already established Northern Southeast Alaska, Districts 9–16, including Sitka Sound, for permit holders of the Northern Southeast SOK pound fishery (L21A).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Each season G01A permit holders would have the option of fishing open pounds for SOK in lieu of purse seines for sac roe herring in the Sitka Sound herring fishery. Permit holders may only fish gear type each year and participants in the SOK fishery would need to register with ADF&G prior to March 1. The annual GHL for the Sitka Sound sac roe herring fishery would be reduced by dividing the current years GHL by the number of CFEC permits eligible to participate in the G01A fishery, multiplying that total by the number of permit holders registered to fish open pound gear and then subtracting that total from the GHL. The maximum GHL reduction for each permit registered to fish open pound gear is 200 tons.

Out of the 4 permitted pound structures allowed per registered permit, 2 pounds may be fished in state waters closed to commercial herring fishing as described in 5 AAC 27.150(7). The impacts of the SOK open platform fishery would include the removal of potential egg deposition, however, this removal would likely be less than the removal of potential egg deposition in the sac roe fishery. The presence of pound structures on the grounds, especially within waters described in 5 AAC 27.150(7), could compete for the same area as the subsistence herring roe on branch fishery, causing conflict among these users.

Herring sac roe and SOK markets are generally limited to the Japanese market and pricing is often volatile and sensitive to supply. Having this option may provide greater economic return to individual permit holders because permit holders would have the option to choose what product to harvest based on market conditions. The potential reduction of sac roe harvest may have a positive effect on sac roe prices, however, the increase of SOK production would likely have a negative effect on SOK pricing and overall economic return for the existing SOK fisheries. The increased demand for giant kelp *Macrocystis* spp. would not be expected to cause a biological concern with the overall health of kelp populations in Southeastern Alaska but could affect the availability of acceptable quality kelp for the existing SOK fisheries.

BACKGROUND: This proposal was first presented to the board in 1997. Discussions at that time indicated there were numerous legal, policy, fishery management, and socioeconomic questions regarding this proposal. Because of these many unanswered questions the board directed the department to conduct an experimental test fishery to help resolve some of the unanswered questions.

The department completed 2 experimental herring SOK test fisheries in Sitka Sound during the 1998 and 1999 seasons. Test fishery contracts were awarded to an association of 13 limited entry permit holders and their crewmembers in the Sitka herring fishery. Platform gear used was 4, 40' x 60' aluminum frames, initially built for use in the San Francisco SOK fishery. Kelp for the fisheries was harvested from Sea Otter Sound in District 3. 5 tons of kelp was harvested and deployed in 1998 and 4.5 tons in 1999. Production in 1998 amounted to 27-tons of SOK (drained, unsalted weight). No conflicts were reported either year with the subsistence fishery or the sac roe herring fishery.

During the 1998 fishery, the department applied a random sampling design to determine a conversion rate for herring utilized by the fishery per product produced based on current year fecundity samples. The department estimated that eggs from 100 tons of herring were required to produce 27.2 tons of SOK product for open pounds in Sitka Sound.

During the 1999 season, the department carried out field studies of giant kelp *Macrocystis* spp. distribution, productivity, and abundance. This study suggests that kelp supply should not be considered as a limiting factor for fishery development. Anecdotal evidence of *Macrocystis* spp. abundance and distribution suggests that this is still the case.

In 2003, the board continued to struggle with various issues associated with the establishment of an open platform SOK option for the Sitka Sound herring fishery and the board formed the Sitka SOK Open Platform Fishery Working Group with 11 specific issues identified for discussions. A meeting was held in November 2004, and it was recommended to not move forward with further discussions in the proposed fishery. Reasons cited included: 1) markets were at that time oversupplied with SOK and there was no room for a new SOK fishery; 2) Sitka Tribe of Alaska testified against it because of the likelihood of conflict with subsistence users because it was likely that the preferred area to place open platforms would be the same areas in the core spawning area heavily used by the subsistence fishery; and 3) all input submitted concerning this fishery was negative except for the idea that herring mortality would be reduced. In January 2005, the board agreed that the working group had finished its assignment and determined there was no need to continue discussions at that time.

This issue was also considered by the board during the 2015 Southeast and Yakutat Finfish meeting as Proposal 126. It was determined that the CFEC administrative area for the Northern Southeast SOK herring fishery includes Sitka Sound. Adoption of Proposal 126 at that meeting would have authorized additional limited entry permit holders to participate in the Northern Southeast SOK herring fishery, an action that may only be undertaken by CFEC, not by the board. In response to this determination, the board tabled Proposal 126 until the Statewide Finfish and Supplemental Issues meeting in 2016, and in conjunction with the Department of Law, asked CFEC to consider changing the administrative area for the Northern Southeast SOK herring fishery to exclude Sitka Sound. If CFEC were to exclude Sitka Sound from the administrative area, the board could then consider allowing open pounds as an alternative gear type for purse seine limited entry permit holders in Sitka Sound. CFEC held a hearing on October 28, 2015, to consider the proposed

regulation change. Of the 61 comments received in writing, telephonically, or in person, only the author of the original proposal was in favor of the CFEC proposal. Based on the comments received, CFEC took no action. The board ultimately took no action on this proposal at the 2016 meeting based on a lack of regulatory authority to allow new entrants into a fishery or to determine who might enter a limited entry fishery.

Most recently, this issue was considered by the board during the 2022 Southeast and Yakutat Finfish meeting as proposal 166. No action was taken on this proposal because it was decided that the management plan in RC55 required additional public review. Additionally, it was determined that the management plan in RC55 would help to guide the CFEC in its review of potential regulatory action.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Under current regulations, if an SOK fishery were established in Sitka Sound only permit holders of L21A permits would be able to participate. To establish a new Sitka Sound SOK pound fishery exclusive to G01A permit holders, CFEC must first exclude the waters of Sitka Sound to pound fishermen holding L21A permits. Additionally, a kelp harvest management plan would need to be adopted for this fishery.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined under 5 AAC 01.716(a)(11)(D)(i) and (ii) that herring and herring spawn in the waters of Section 13-A and in the waters of Section 13-B north of the latitude of Aspid Cape are customarily and traditionally taken for subsistence uses.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established a range of 136,000–227,000 pounds of herring spawn that are reasonably necessary for subsistence uses in Section 13-A and Section 13-B north of the latitude of Aspid Cape (5 AAC 01.716(b)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

HERRING SPAWN ON KELP (5 PROPOSALS)

PROPOSAL 183 – 5 AAC 27.185. Management plan for herring spawn on kelp in pounds fisheries in Sections 3-B, 12-A, 13-C, and District 7.

PROPOSED BY: John Johanson.

WHAT WOULD THE PROPOSAL DO? This would create a herring spawn on kelp (SOK) fishery with open pounds in the Sitka Sound area of Sections 13-A and 13-B. This fishery would only be accessible to current Northern SOK (L21A) permit holders.

WHAT ARE THE CURRENT REGULATIONS? The Sitka Sound herring sac roe purse seine fishery is currently the only herring sac roe purse seine fishery allowed in regulation in Southeast Alaska. The fishery may occur in Section 13-A south of the latitude of Point Kakul at 57°21.75' N. lat., and in Section 13-B north of the latitude of Aspid Cape at 56°41.75' N. lat., except for Whale and Necker Bays (Figure 178-1).

The northern SOK fishery may occur in Section 12-A (Tenakee Inlet) and in Section 13-C (Hoonah Sound).

The CFEC regulations defining administrative areas for the northern Southeast Alaska SOK fishery are described in 20 AAC 5.230(a)(3) that defines the administrative area as Southeast Alaska and 20 AAC 5.230(a)(9) that further defines the Northern SOK permit administrative area as regulatory Districts 9–16 as described in 5AAC 33.200.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? L21A permit holders would be allowed to fish open pound gear in Section 13-A south of the latitude of Point Kakul, and in Section 13-B north of the latitude of Aspid Cape, except for Whale and Necker Bays. Because the entire Sitka Sound herring guideline harvest level (GHL) is currently allocated to the Sitka Sound herring sac roe purse seine fishery, a percentage of the GHL would need to be allocated to the SOK fishery. In some years, this would result in reduced harvest and exvessel value for the existing herring sac roe purse seine fishery. The extent of the reduction would depend on how much of the GHL would be allocated to the SOK fishery.

The impacts of the SOK open platform fishery would include the removal of potential egg deposition; however, this removal would likely be less than the removal of potential egg deposition in the sac roe fishery. Additionally, the presence of pound structures on the grounds could compete for the same area and shoreline as the subsistence herring roe on branch fishery, causing conflict among these users.

Herring sac roe and SOK markets are generally limited to the Japanese market and pricing is often volatile and sensitive to supply. The potential reduction of sac roe harvest may have a positive effect on sac roe prices, however, the increase of SOK production would likely have a negative effect on SOK pricing and overall economic return for the existing SOK fisheries. Because of the stability of the Sitka Sound herring stock, this would likely result in a more predictable harvest opportunity for L21A permit holders. The increased demand for giant kelp *Macrocystis* spp. would not be expected to cause a biological concern with the overall health of kelp populations in Southeastern Alaska but could affect the availability of acceptable quality kelp for the existing SOK fisheries.

BACKGROUND: Regulations establishing herring sac roe areas for set gillnet and purse seine fisheries were adopted in 1975 and in 1990, regulations were established for the northern SOK fishery. There has been no overlap of SOK and purse seine sac roe fishing areas. There have been numerous proposals before the board seeking to allow purse seine sac roe permit holders the option to use open pounds in Sitka Sound rather than harvesting by seine for sac roe.

The Sitka Sound herring GHJ has not been fully harvested since 2017. In recent years, this is attributable to the market demands for Sitka Sound sac roe herring. Since 2017, the percentage of the GHJ that was harvested has ranged from 0% in 2019 and 2020 to 56% in 2022.

The northern SOK fishery occurs in Hoonah Sound (Section 13-C) and in Tenakee Inlet (Section 12-A). The Hoonah Sound fishery has not occurred since 2012 due to the stock not meeting the minimum spawning biomass threshold. The Tenakee Inlet fishery has opened 5 times: 2003, 2004, 2005, 2009, and 2014. Unlike Hoonah Sound, Tenakee Inlet is first a winter food and bait fishery and if there is adequate GHJ remaining after the food and bait season, the SOK fishery may occur. However, winter food and bait harvest has been minimal and the lack of SOK fisheries is due to the stock not meeting the minimum spawning biomass threshold.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. If the board adopts this proposal, the department is confident that a regulatory program can be adapted to adequately monitor and manage the fishery. Basic parameters that govern existing SOK fisheries (i.e., a kelp harvest management plan, fishery registration process, and a GHJ allocation strategy) would also need to be determined. Due to the potential for conflict among user groups over harvesting areas (Figure 179-1), if the board chooses to adopt this proposal, it may wish to consider if reasonable opportunity is still provided for subsistence uses.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined under 5 AAC 01.716(a)(11)(D)(i) and (ii) that herring and herring spawn in the waters of Section 13-A and in the waters of Section 13-B north of the latitude of Aspid Cape are customarily and traditionally taken for subsistence uses.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established a range of 136,000–227,000 pounds of herring spawn that are reasonably necessary for subsistence uses in Section 13-A and Section 13-B north of the latitude of Aspid Cape (5 AAC 01.716(b)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

PROPOSALS 184, 185, and 186 – 5 AAC 27.185. Management Plan for Herring Spawn On Kelp In Pound Fisheries in Sections 3-B, 12-A, and 13-C, and District 7.

PROPOSED BY: Roseanne Demmert and John Johansen (184), James Quigley (185), and Nik Nebl (186).

WHAT WOULD THE PROPOSAL DO? These proposals would expand the open area in Section 3-B for the Craig/Klawock spawn-on-kelp (SOK) pound fishery (Figure 184-1).

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow for the harvest of herring for placement in pounds in waters of Section 3-B in San Alberto Bay, Shinaku Inlet, and San Christoval Channel north of a line from Entrance Point to the southernmost tip of Clam Island to the southernmost tip of Fern Point, south of the northern tip of St. Phillips Island, east of a line from St. Phillips to Point Garcia, and east of 133°20' W. longitude. There is a closure in San Christoval Channel and around Fish Egg Island (Figure 184-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? These proposals would increase the open area in Section 3-B significantly, increasing the opportunity for successful capture and introduction of herring into pounds in some years.

BACKGROUND: Commercial herring fisheries have occurred on the Craig/Klawock stock for many years. From 1959 through 1967, a roe-on-kelp fishery harvested product along the shorelines in the Craig/Klawock area where herring naturally spawned. The winter food and bait fishery grew rapidly in the 1970s and has documented landings from 1973 to present. In the 1980s, with the stock at historical high levels, local residents petitioned the department to develop a SOK pound fishery. The Klawock-Heenya and Shaan-Seet Corporations worked closely with the department to develop a SOK pound fishery that was adopted by the board in 1992.

Since the inception of the Craig/Klawock SOK pound fishery in 1992, there have been 6 years when herring have not been available in the current open area. This occurred in 1993, 1997, 2000, 2017, and then more recently in the subsequent spawn events of 2023 and 2024. In 1993, a majority of the herring spawned around Fish Egg Island. In 1997, the spawn was concentrated around Fish Egg Island, but there was also significant spawn in the St. Philip Island area. The department expanded the open pounding area to include the St. Philip Island area to maximize opportunities for the fishery. In 2000, no herring were introduced into closed pounds and no product was landed. Several factors contributed to this, including lack of herring in the open area and vessels not ready to fish when herring moved through the open area.

In 2017, with an expected low spawning biomass, herring were once again scarce in the open area. Coupled with the night-time closure that was enacted, it was difficult to capture herring in the traditional area. After spawn was observed for 2 days in the St. Philip Island area, along with spawn on Fish Egg Island, there was adequate biomass present to justify expanding the open area in the vicinity of St. Philip Island and Blanquizar Point for harvest of herring for placement into pounds. Thirteen pound structures were moved into the recently opened area and all of these successfully introduced herring into their pounds.

In both 2023 and 2024, the herring spawn was concentrated south of the open pounding area, predominantly on Fish Egg Island. In both of these years, the spawn expanded south and west of Fish Egg Island to include the Ballenas and Ballandra Islands and extended as far west as San Juan Bautista Island, that is approximately 5 nautical miles southwest of the traditional open pounding

area (Figure 184-2). The department did not expand the area south in either of these years because that could potentially infringe on the traditional area where subsistence roe on kelp harvest occurs and was 1 of the key points among the department, Klawock-Heenya, and Shaan-Seet when the fishery was established in 1992.

The Craig/Klawock area has traditionally been the community with the largest harvest of subsistence roe on kelp in Southeast Alaska. The 1985-2023 average harvest in Craig is 4,734 pounds of wild roe on kelp by 148 permits. Sitka has averaged 2,970 pounds of wild roe on kelp by 55 permits. These numbers are based on total permits issued and harvest as reported only from returned permits.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of the proposal but **SUPPORTS** providing opportunity to the commercial spawn-on-kelp fishery when the biomass allows, provided it does not inhibit the traditional subsistence roe on kelp harvest in the area. In most years it would have no effect on the fishery. In years when herring spawn outside the more traditional areas, that does occur, and most recently in 2023 and 2024 (Figure 184-2), commercial herring pound fishers could decide whether or not to stage their pound operation in an area where the herring were actively spawning.

There are 3 separate proposals to expand the open area in Section 3-B for the taking of spawn on kelp in pounds and for the taking of herring by seines for placement in pounds. Proposal 184 describes an extension to Point Miraballes including Doyle Bay and expand from Point Amargura to Point Providence. It is unclear from the description whether the intent is to include all waters in this area or not. Proposal 185 has no description of the area to be expanded, and it is unclear what the proposer's intent is other than to expand the area. Proposal 186 has a defined description of the proposed expanded area and is shown in Figure 184-1. It is similar to proposal 184 except it excludes Doyle Bay where there is a large kelp farm, while staying west of current closed waters.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined under 5 AAC 01.716(a)(3)(B)(ii) that herring and herring spawn in the waters of (ii) of Section 3-B in San Alberto Bay north of the latitude of the southernmost tip of Cape Suspiro and east of 133° 20' W. long are customarily and traditionally taken for subsistence uses.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has not established the amount necessary for subsistence uses for herring or herring spawn in this area.
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

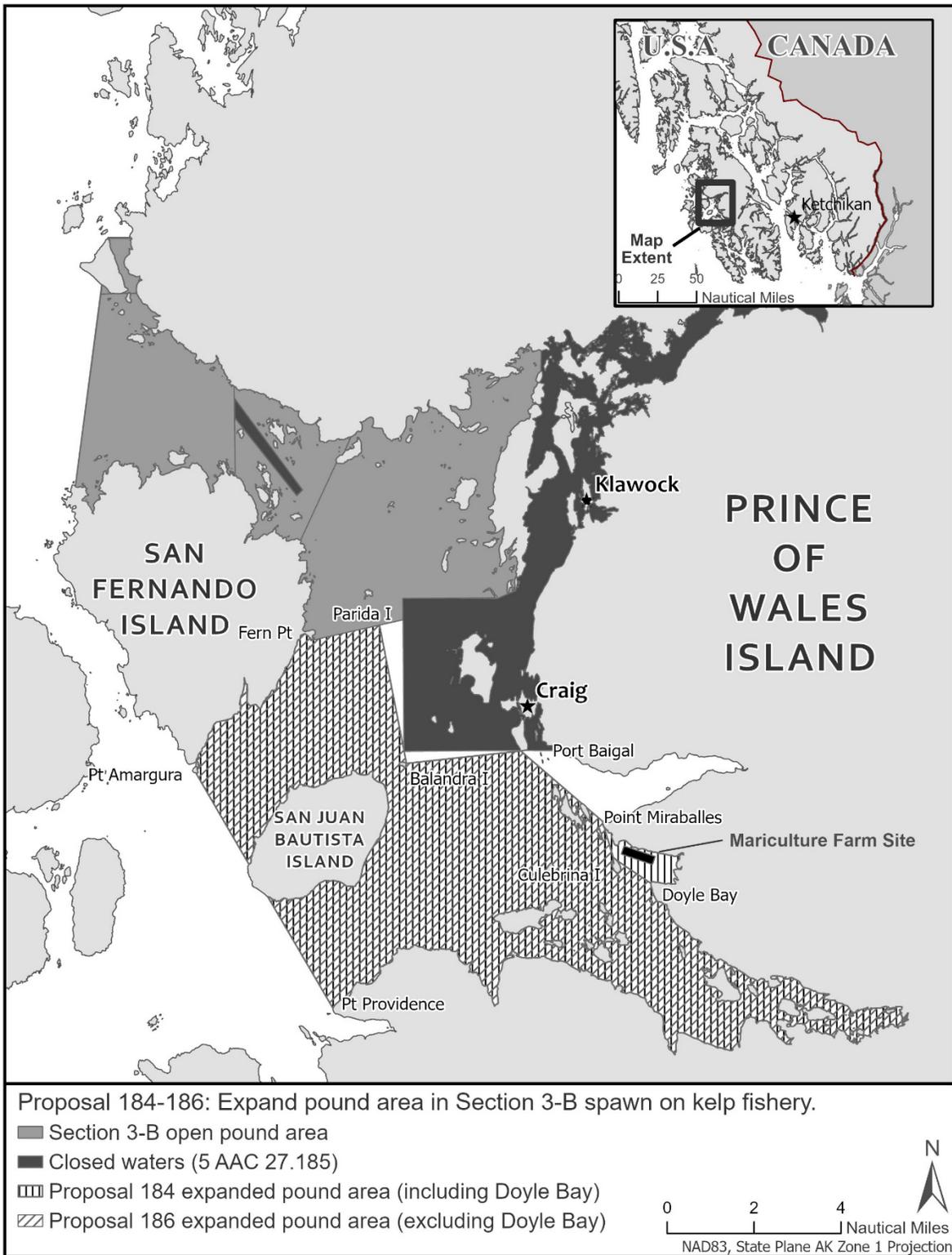


Figure 184-1.—Current closed waters, open pound area, and proposed expanded open area described in proposal 184 and 186.

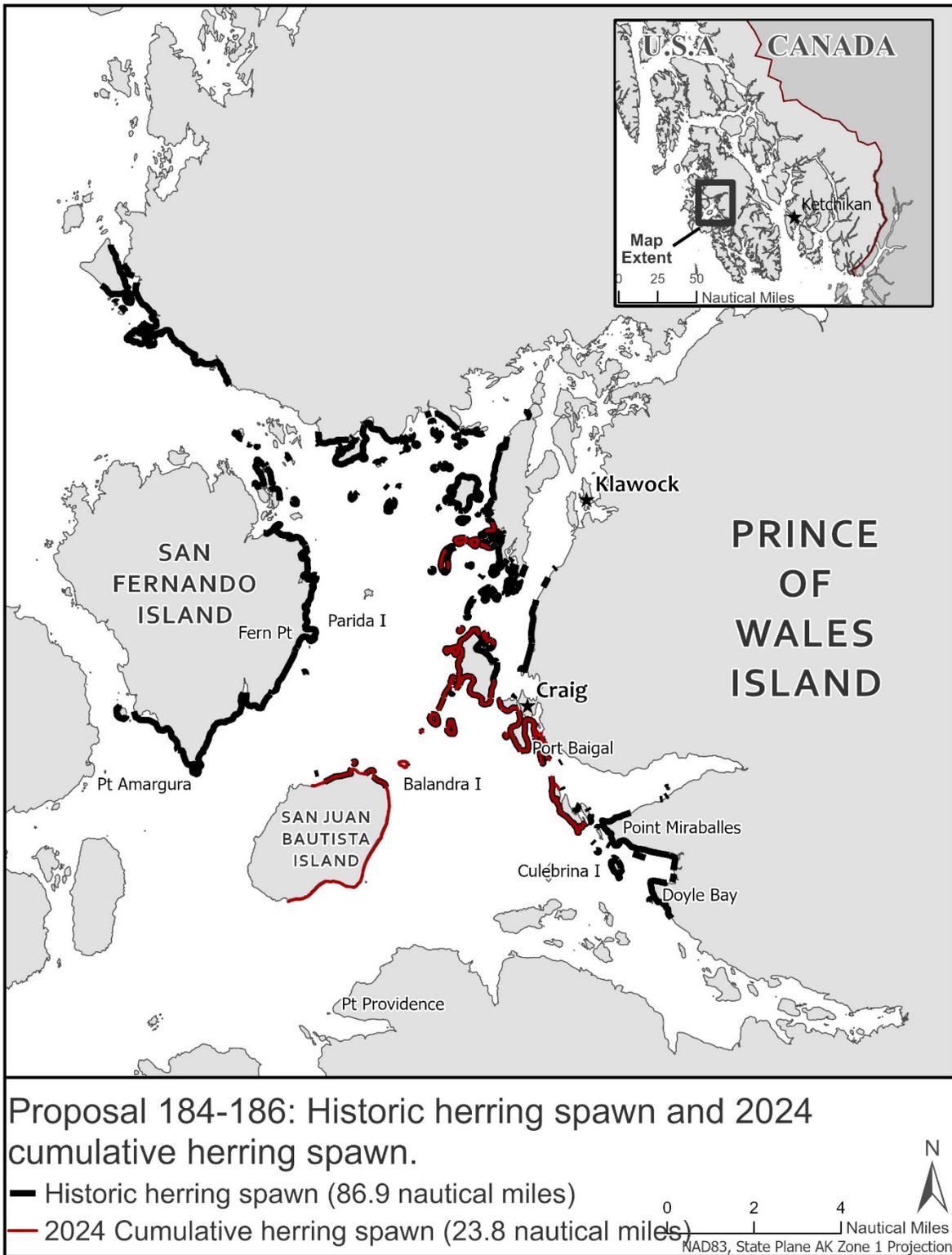


Figure 184-2.—Cumulative herring spawn (any shoreline with documented spawn) in the Craig/Klawock area compared to the 2024 herring spawn documented by ADF&G.

PROPOSAL 187 – 5 AAC 27.130. Lawful gear for Southeastern Alaska Area.

PROPOSED BY: Derek Thynes.

WHAT WOULD THE PROPOSAL DO? This would allow spawn on kelp (SOK) permit holders to wrap an extra layer of no less than 7-inch webbing around their existing pound structure in an attempt to provide additional protection to the pound structure and the spawn on kelp product.

WHAT ARE THE CURRENT REGULATIONS? A closed herring pound for the herring spawn on kelp fishery requires a single, floating, rectangular frame structure with the mesh webbing measuring no larger than 1.5 inches. Closed pound structures may not have a surface area exceeding 800 square feet or total volume exceeding 12,000 cubic feet.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It is unclear how effective the large mesh webbing surrounding the pound structure would be at protecting the pound structure, the herring web, and associated product. It may result in increased protection of both the structure, the herring web, and the SOK product. It may also increase the risk of marine mammal entanglement and vessel entanglement if there is billowing of the web at the surface.

BACKGROUND: The Craig/Klawock herring pound fishery was initiated in 1992. The current management plan for herring spawn on kelp in pounds fisheries for Southeast Alaska has been modified nearly every Southeast board cycle since its inception as the fishery has evolved.

During the herring spawn on kelp pound fishery, there are marine mammals, including humpback whales and stellar sea lions, distributed throughout the area during the spawn event. Sea lions will sometimes jump up and over the floats and into the enclosed pound structure to feed on the herring. If there is suspended kelp with product already in the pound structure, this action has an extremely detrimental effect on the roe on kelp product. Additionally, humpback whales often travel through the area and throughout the area where pound structures are located. The observations by the department and permit holders are that a fluke will sometimes catch some of the webbing suspended from a pound, creating a tear in the webbing. This tear is often below the waterline, initially undetectable by permit holders, but results in a near total loss of any herring that were impounded in the structure at that time. This requires the tear to be fixed, and additional herring to be impounded, provided the permit holder is still within their allowable time frame to add herring.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this gear modification proposal. Modifying the pound structure to better protect herring is unlikely to impact fishing efficiency or practices; however, it may reduce the need for fishermen to seine additional herring following predator-related losses.

If this proposal is adopted, clear, concise language should be considered to eliminate any confusion on how the additional webbing is attached to the pound structure. Clear language would benefit the Alaska Wildlife Troopers with any enforcement issue that may arise from additional webbing on a structure.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

ALL COMMERCIAL HERRING (3 PROPOSALS)

PROPOSAL 188 – 5 AAC 27.190. Herring Management Plan for Southeastern Alaska Area.

PROPOSED BY: Herring Protectors.

WHAT WOULD THE PROPOSAL DO? All commercial herring fisheries in Southeast Alaska would be restricted to fishing no more than 3 consecutive days and no more than 7 days in a 30-day period and would be limited to fishing no more than 8 hours per day. This would also require fishing activity to take place in sight of observers. The total harvest of herring throughout Southeast Alaska would be restricted to less than 15,000 tons. Finally, this would require any fish incidentally harvested during a herring fishery to be reported in fishery updates issued through the advisory announcement system.

WHAT ARE THE CURRENT REGULATIONS? The Sitka Sound herring sac roe fishery is opened and closed by emergency order (EO). *Management plan for herring spawn on kelp in pounds fisheries in Sections 3-B, 12-A, and 13-C, and District 7* (5 AAC 27.185[g]) specifies the times when herring may be harvested for placement in pound structures.

Sitka Sound is the only Southeast Alaska herring fishery area that has a sliding harvest rate formula in regulation. The guideline harvest level shall be established by the department and will be a harvest rate of not less than 12%, nor more than 20% of the forecast mature biomass, and within that range shall be determined by the following formula:

Harvest Rate Percentage = $2 + 8 [\text{Spawning Biomass (in tons)}] / 20,000$.

The fishery will not be conducted if the spawning biomass is less than 25,000 tons.

For all other herring fisheries in Southeast Alaska, regulations provide that the department shall establish minimum spawning biomass thresholds below which fishing will not be allowed and may allow a harvest of herring at an exploitation rate from 10% to 20% of the estimated spawning biomass when that biomass is above the minimum threshold level.

The department is directed by the *Sitka Sound commercial sac roe herring fishery* (5 AAC 27.195) to distribute the commercial harvest, by time and area, if the department determines that it is necessary to ensure a reasonable opportunity to harvest the amount of herring spawn for subsistence use specified in *Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses* (5 AAC 01.716).

All fish landed in commercial herring fisheries must be recorded on a fish ticket. Fish tickets must be submitted to the department within 7 days of the landing; however, for herring sac roe fisheries, fish tickets must be submitted to the department within 10 days of completion of buying operations in an area. Harvest data are considered confidential by the State of Alaska if less than 3 permit holders participated in a fishery opening and/or less than 3 processors purchased fish from that opening.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? While it is unclear if the proposed fishing days restrictions would be implemented on each herring fishery individually, fisheries within a specific management area, or on all herring fisheries in aggregate,

this would result in a reduction in fishing time for all herring fisheries in Southeast Alaska. The department's ability to manage herring fisheries to achieve a GHL in any given fishery would be reduced as would the use of time as a tool to distribute herring harvest.

Restricting commercial fishing periods to 8 hours per day would likely not significantly impact herring sac roe fisheries because most of these fishery openings currently are shorter than 8 hours in duration. However, for fisheries that rely on open fishing periods specified in regulation (i.e., food/bait and spawn on kelp fisheries), a restriction on daily fishing time would represent a large departure from how those fisheries are currently managed and would essentially result in a fishery that would not be successful. Additionally, this would require the department to manage fishing time in these fisheries under emergency order authority.

An observer program for commercial herring fisheries would not alter the current management of these fisheries. As written, it is unclear what fishery observers would be monitoring for as there are currently no definitions in regulation for excessive high grading, responsible test setting, excessive disturbance, corralling, or manipulation of herring schools. It is also unclear how the proposed observer program would be staffed and implemented.

If nonconfidential harvest data of incidentally caught fish are available, the department would be able to publish these data in the appropriate fishery updates.

Restricting the annual Southeast Alaska herring harvest to 15,000 tons may benefit other user groups but would reduce commercial harvest opportunity in most years.

The effect of the proposal on the subsistence harvest of herring roe is unclear because several factors unrelated to the commercial harvest affect the success of the subsistence harvest. These factors include natural variability in spawn distribution and timing, weather patterns, and the number of individuals attempting to harvest for subsistence purposes. Changes in herring spawn distribution would be expected to affect overall harvest success the most.

BACKGROUND: Fishing time in the Sitka Sound herring sac roe fishery is managed through EO authority and is guided by *Sitka Sound commercial sac roe herring fishery* (5 AAC 27.195). Since 2021, the Sitka Sound herring sac roe fishery has been considered noncompetitive. In this fishery structure, the overall daily harvest, tendering, and processing capacity is reduced, and the fishery relies on multiple openings, often over consecutive days, in order to fulfill market demands. From 2021–2024 the fishery has been open for an average of 13 days per season and has ranged from 8 days in 2023 to 15 days in 2022. In all these years, the fishery had been open for more than 3 consecutive days and more than 7 days in a 30-day period. The average duration of a fishery opening during this time period is 7 hours.

The Craig/Klawock herring stock is allocated between a winter food and bait fishery and a commercial spawn on kelp fishery. There has been winter food and bait harvest in the Craig area since the early 1970s, and the spawn on kelp fishery began in 1992. The Craig/Klawock herring stock has been above threshold every year since 1986, when formal forecasting began on the stock. The winter food and bait fishery opens by regulation on October 1 and remains open through February 28. Any portion of the unharvested GHL from the winter food and bait fishery is added on to the spawn on kelp fishery. In the Craig/Klawock area, the area defined in regulation for the placement of herring into pounds opens by regulation at 12:00 noon, March 17, and remains open through 12:00 noon, May 10. A permit holder is allowed to capture herring for placement into pounds for 4 consecutive days and able to retain the herring in pounds for 7 days. Often, permit

holders will make sets at night, during the morning, or whenever herring are available in the open area near their anchored pound structures.

Capping the allowable harvest for herring in Southeast Alaska has the effect of increasingly reducing the harvest rate on individual herring stocks as they increase in biomass, that is counterintuitive to the current sliding scale harvest rate strategy, that increases allowable harvest as stock levels increase. Over the past 20 years, the proposed cap would have limited total harvest in 11 seasons (Table 188-1).

Onboard fishery observers are deployed regularly in the statewide scallop fishery and Bering Sea/Aleutian Islands crab fisheries, and on an ad hoc basis in other fisheries when the need arises. The purpose of observer deployments at sea is to monitor the harvest, including bycatch, and to collect biological data from harvested fish and shellfish as well as bycatch discards. Biological data collected from fishery observers is used directly in the management and assessment of the fisheries. The cost of onboard observers is borne either by the fishing vessel or State of Alaska, depending on the fishery. Fishery observers in the state of Alaska do not take on any law enforcement duties. In the Sitka Sound herring sac roe herring fishery, most openings are closely observed by multiple department vessels. These vessels are collecting information necessary for management (i.e., set size, location, quality, etc.) and to ensure that regulations are being adhered to.

Incidental harvest of fish species during a herring fishery in Southeast Alaska is an uncommon occurrence. From 1985–2024 there are no records on department fish tickets of any incidental harvest of nontarget fish species.

DEPARTMENT COMMENTS: The department **OPPOSES** the proposed time restrictions and observer requirement aspects of this proposal. Limiting fishing time to the extent proposed would limit the department’s ability to manage the Sitka Sound sac roe fishery to achieve spatial and temporal distribution dictated in regulation or achieve daily harvest targets and the GHL. This would also eliminate the potential for a successful winter food and bait fishery and spawn-on-kelp fishery in the Craig/Klawock area pound fishery.

An observer program for herring fisheries in Southeast Alaska would yield no useful information outside of what is currently being collected by existing programs. The department is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal would result in an additional cost for the department to develop and implement an observer program for herring fisheries in Southeast Alaska.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? Herring stocks affected by this proposal are present in both subsistence and nonsubsistence areas.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined under 5 AAC 01.716 that herring and/or herring spawn are customarily and traditionally taken for subsistence uses in multiple subsistence areas across the region. These areas include portions of Districts 2, 3, 5, 6, 7, 8, 9, 10, 12, 13, 14, and 15.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence uses? The board has established a range of 136,000–227,000 pounds of herring spawn that are reasonably necessary for subsistence uses in Section 13-A and Section 13-B north of the latitude of Aspid Cape (5 AAC 01.716(b)). The board has not established the amount necessary for subsistence uses for herring or herring spawn in the remaining areas that have a positive determination of customary and traditional use.

5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 188-1.—Southeast Alaska commercial herring harvests in tons, 2003/04–2022/23 seasons.

Season	Total harvest ^{a,b}
2003/04	17,127
2004/05	18,411
2005/06	14,287
2006/07	16,014
2007/08	21,520
2008/09	22,330
2009/10	24,778
2010/11	*
2011/12	17,407
2012/13	8,922
2013/14	17,023
2014/15	8,809
2015/16	9,969
2016/17	15,457
2017/18	6,253
2018/19	3,520
2019/20	4,445
2020/21	19,393
2021/22	27,907
2022/23	12,763

^a Harvests include the fresh bait pound harvest and test fishery harvests.

^b Includes spawn-on-kelp harvests converted to herring equivalents at 12.5 to 1 ratio.

Note: * When number of participants is less than 3, information is considered confidential.

PROPOSAL 189 – 5 AAC 27.132. Seine specifications and operations for Southeastern Alaska Area.

PROPOSED BY: Herring Protectors.

WHAT WOULD THE PROPOSAL DO? Reduce the length of a purse seine net that may be used for commercial herring fishing in Southeastern Alaska from 200 fathoms to 100 fathoms.

WHAT ARE THE CURRENT REGULATIONS? A herring purse seine in Southeastern Alaska may not be more than 200 fathoms in length and 1,700 meshes in depth. If allowed by emergency order, in Section 12-A, a purse seine may be up to 2,125 meshes in depth.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce the efficiency of purse seine herring fisheries by an unknown amount. In doing so, it is likely that this would increase the duration of commercial fishing activity to harvest the guideline harvest level for each individual fishery. It is unlikely reducing the maximum length of a herring purse seine would lead to more precise fishing or a reduction in the amount of released sets in a fishery.

BACKGROUND: The current restriction on the length of a herring purse seine in Southeastern Alaska has been in effect since at least 1984. Participants in herring fisheries in Southeastern Alaska frequently utilize 200 fathom long seine nets, but in some cases shorter nets are utilized. In the Sitka Sound herring sac roe fishery, participants often fish shallower nets to more efficiently target herring in shallow waters or in areas with undesirable bottom substrate.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. These herring fisheries are conservatively managed under regulatory management plans and with varying combinations of time, area, and harvest restrictions. Reducing the length of herring purse seines would result in a decrease in efficiency causing more sets to be made to harvest the same amount of herring.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery in order to modify purse seine nets to become compliant with a 100-fathom maximum length. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 190 – 5 AAC 27.190. Herring Management Plan for Southeastern Alaska Area.

PROPOSED BY: Herring Protectors.

WHAT WOULD THE PROPOSAL DO? This would repeal the basic management plan for managing commercial herring fisheries in Southeast Alaska.

WHAT ARE THE CURRENT REGULATIONS? Regulations establish a basic management plan for management of Southeast Alaska herring fisheries by directing the department to identify stocks of herring on a spawning area basis, establish minimum spawning biomass thresholds to conduct fisheries, and determine parameters for when a fishery can occur, harvest rates, and other conservation considerations. Alaska statute gives authority only to the ADF&G commissioner or delegated subordinate officer or department employee for management, conservation, and restoration of Alaska’s fish and game resources.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The department would manage herring fisheries without specific regulatory direction. The department would continue to be the sole management entity as the Board of Fisheries (board) does not have the authority to give management authority to another entity or direct the department to comanage a fishery.

BACKGROUND: The department manages fisheries under regulations adopted by the board. The department has public meetings to discuss herring management and produces annual management plans that outline expectations for that season’s fisheries and how those fisheries will be managed under current regulations. The department considers subsistence priority in managing all commercial herring fisheries.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because it removes the basic management plan for managing Southeast Alaska herring. Removing the management plan from regulation would result in the department managing fisheries without a plan that has gone through many years of public process. The department would prefer to manage fisheries under management plans that have been developed through a public process that all entities, including tribal entities, can participate in.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

COMMITTEE OF THE WHOLE – GROUP 6: SUBSISTENCE SHELLFISH, COMMERCIAL AND SPORT SHRIMP, COMMERCIAL AND SPORT OTHER MISCELLANEOUS SHELLFISH (21 PROPOSALS)

GEODUCK CLAM (5 PROPOSALS)

PROPOSAL 212 – 5 AAC 38.142. Southeastern Alaska Geoduck Fishery Management Plan.

PROPOSED BY: Southeast Alaska Regional Dive Fisheries Association (SARDFa).

WHAT WOULD THE PROPOSAL DO? This would allow the department to increase the number of geoduck permit holders that may make landings from a single vessel from 2 to 4.

WHAT ARE THE CURRENT REGULATIONS? Regulations limit the number of geoduck permit holders on a vessel registered to commercially fish for geoducks to 3, of which only 2 may make landings to or deliver from that vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would increase the number of geoduck permit holders that can make a landing from a single vessel during weekly openings where the department has reduced the trip limit in a specific area with a distinct GHl from 1,000 pounds to 400 pounds or less. This may reduce the number of vessels present in a fishery or on a specific geoduck bed.

BACKGROUND: The current regulation limiting the number of geoduck permit holders per vessel was adopted at the 2018 BOF meeting in Sitka after an additional RC was submitted for Proposal 91 that sought to create a 1,000-pound harvest limit per permit holder per weekly opening in the geoduck fishery. The language submitted in the RC was accepted and a 1,000-trip limit was adopted as well as the 2-permit limit for landing geoducks from a vessel. Prior to 2018, there were no restrictions on the number of geoduck permit holders that could operate from a single vessel. In the other dive fisheries, specifically the commercial sea cucumber fishery, there were department and industry concern for the potential of “motherships” carrying a fleet of small boats and numerous permit holders. This situation could quickly harvest GHls and potentially cause localized depletion resulting in unmanageable fisheries. This is not the case in the geoduck fishery as divers target known commercial grade density geoduck beds, and many vessels travel to the same location and harvest geoducks from the same bed during a weekly opening.

The geoduck clam fishery is also prosecuted as a live clam fishery and subject to weekly Paralytic Shellfish Poisoning (PSP) testing prior to any harvest occurring. SARDFa contracts a diver to collect geoduck clam samples from each individual area. These clams are then shipped via Goldstreak to the Alaska Department of Environmental Conservation in Palmer. The cost is significant to SARDFa regardless of whether the geoduck clams pass or fail the PSP test.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal but **SUPPORTS** regulation that make the fishery more cost effective for individual permit holders when the remaining GHl is low and the weekly trip limit may be cost prohibitive to participate. If the board enacts a change, the department **SUPPORTS** making the regulation consistent for the

geoduck fishery throughout the season because this may create a difficult situation for enforcement if 2 areas are open during a weekly fishing period and 1 has a 400-pound trip limit and 1 does not.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 213 – 5 AAC 38.142. Southeastern Alaska Geoduck Fishery Management Plan.

PROPOSED BY: Southeast Alaska Regional Fisheries Association.

WHAT WOULD THE PROPOSAL DO? This would require that guideline harvest levels (GHLs) be calculated as 2% of the midpoint of the population estimate instead of the current practice of 2% of the lower bound of the one-sided 90% confidence interval of the population estimate and clarify in regulation which values are used to determine GHLs.

WHAT ARE THE CURRENT REGULATIONS? The GHL for each area will be calculated as 2% of the most recent estimated biomass per year. The commissioner may modify these procedures by regulation based on new information regarding geoduck productivity.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would eliminate one of the main elements that provide a conservative buffer to offset uncertainty around the department's population estimate, that is directly used to calculate GHLs. GHLs would immediately rise for all fishery areas and the safeguard that protects against the uncertainty of estimates would be removed.

BACKGROUND: The Southeastern Alaska Geoduck Fishery Management Plan describes how guideline harvest levels shall be calculated. The calculation requires 2 values: 1) the harvest rate of 2%, that is a value that is assumed to be sustainable in Alaska because when adopted in 1985, it was similar to harvest rates used in British Columbia and the State of Washington and 2) the most recent population estimated biomass. The harvest rate is not based on data from Alaska geoducks because no harvest rate studies have been completed in Alaska. Instead, the harvest rate was based on decrementing the value of 2.8%, that is a value that was estimated as a sustainable rate for Washington geoducks. This value is decremented to 2.0% because geoduck populations in Alaska are at the extreme northern end of their range and therefore thought to be less productive than southern stocks.

The department estimates biomass for each fishery area using geoduck density data collected during dive surveys of transects systematically laid out along the length of known geoduck beds. Because geoduck distribution is often patchy, transects might land on a variety of density zones, ranging from very high to zero. A "midpoint" or mean estimate can easily be calculated as the product of density and bed area, but this does not reflect the uncertainty of the estimate that arises from a highly patchy distribution of geoducks or from transects landing disproportionately in areas that do not necessarily represent well the true density, simply due to chance. To express that uncertainty, a one-sided confidence interval is calculated with a lower bound (lower end of range) such that the department would be 90% sure that true mean value of the population is greater than what is used to calculate the GHL. In other words, although the midpoint estimate is the most probable value of the true biomass, the true value may instead lie anywhere within the confidence interval.

The effect of using this method is that if a survey produces an estimate with high uncertainty (e.g. highly patchy or unpredictable density), then the confidence interval would be wide, reducing the lower bound value and thereby lowering the GHL; however, if there is low uncertainty (e.g. very evenly distributed or predictable density), then the confidence interval would be narrow, raising the lower bound closer to the midpoint and thereby raising the GHL. This approach is designed to protect from setting harvest levels too high due to uncertainty of the true population size.

Although the use of the lower bound is not described in regulation for geoducks, the department has used this approach for many years and it is the same approach that is used to calculate GHGs for sea cucumbers and red urchins, both of which are described in regulation. The department is currently working on a study to better estimate appropriate harvest rates based on Alaska data. If a more appropriate harvest rate can be calculated, the department will have less concern about having conservative measures in place.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Uncertainty in biomass estimates will always be present and is sometimes high. The current method is a precautionary approach that is an effective way to help protect against setting unsustainable harvest levels and is in regulation for both the sea cucumber and sea urchin fisheries. Geoducks are long-lived animals, reaching >160 years, with low and irregular recruitment rates, that make them particularly vulnerable to overfishing; therefore, it is important to be conservative when using uncertain values to estimate sustainable harvest levels. The point estimate of the biomass is used in the British Columbia geoduck fishery stock assessment; however, the harvest rate applied to that biomass estimate is substantially lower than 2%, ranging from 1.2% to 1.8% depending on the productivity of the stock. Because British Columbia stocks are thought to be more productive than those in Southeast Alaska, applying a higher harvest rate on Southeast Alaska stocks than British Columbia stocks would be inadvisable.

If there is confusion over how the department calculates GHGs, then the current practice could be included in regulation, as is currently done for both sea cucumbers and red urchins.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 214 & 215 – 5 AAC 38.142. Southeastern Alaska Geoduck Fishery Management Plan.

PROPOSED BY: Southeast Alaska Regional Dive Fisheries Association.

WHAT WOULD THE PROPOSAL DO? Authorize the department to reopen fisheries in areas that are currently closed under the Southeastern Alaska Geoduck Fishery Management Plan due to biomass below the threshold of 30% of the original estimated biomass. Proposal 214 would allow reopening any area after 5 years of closure with the standard 2% harvest rate, while proposal 215 would allow reopening sea otter impacted areas at a reduced harvest rate.

WHAT ARE THE CURRENT REGULATIONS? A commercial geoduck fishery may not be opened in an area if the estimated biomass of the geoduck stock in that area is less than 30 percent of the original biomass determined by the first stock assessment conducted by the department on that stock. The commissioner may modify this percentage if the department receives information about geoduck productivity that supports a modification.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The department would have authority to reopen fisheries on stocks with current biomass estimated below 30% of the original biomass either after 5 years of closure (Proposal 214) or on stocks substantially reduced by sea otter predation with harvest rates less than 2% of the biomass per year (Proposal 215). This would result in levels of harvest that are not sustainable.

BACKGROUND: The current fishery threshold of 30% of original surveyed biomass was first adopted into regulation as part of the Southeastern Alaska Geoduck Fishery Management Plan in 2000 to conserve essential broodstock when populations are at very low levels and allow population recovery. The department recognized the need for setting a limit reference point to prevent harvesting geoduck stocks at levels below those considered unsustainable. Fishery thresholds and limit reference points are commonly used for managing other fisheries and are especially important for species that are vulnerable to overfishing, like geoduck that are long-lived, have low recruitment rates, and are slow to recover. There are numerous ways to set limit reference points, depending on the level of data available. For a relatively data-poor species like geoducks, basing the threshold on a percentage of the unfished biomass (usually 30–60% of unfished biomass) is a common approach. As a proxy for estimated unfished biomass, the department uses the first survey of a geoduck stock before commercial openings took place. When compared to other geoduck fisheries, the 30% threshold is liberal as British Columbia regulations require closure of a fishery area if the biomass reaches 40% of the original surveyed biomass, and some scientists have recommended 60% for species that are considered less resilient.

Based on department surveys, all geoduck fishery areas where biomass fell below 30% of the original estimate were those with heavy sea otter predation. In the 1 fishery area that has been resurveyed after closure, the population continued to decline, even in the absence of fishing pressure for 5 years. This was also observed in a control area, that is closed to commercial fishing and surveyed to understand the effects of fishing on the stock. The patterns observed by the department indicate that there is no sustainable harvestable surplus of geoduck in areas that have fallen below threshold, all that have had high sea otter predation, and therefore fisheries cannot be reopened until they have rebuilt above threshold. It is imperative in these areas to conserve as much broodstock as possible to allow for population rebuilding.

DEPARTMENT COMMENTS: The department **OPPOSES** these proposals. They would result in unsustainable levels of harvest. The department will continue monitoring populations whose biomasses are under threshold and will reopen them if there is sufficient evidence of a harvestable surplus.

COST ANALYSIS: Approval of these proposals is not expected to result in additional direct costs for individuals participating in this fishery. Additionally, approval of this proposal is not expected to incur any additional costs for the department.

PROPOSAL 216 – 5 AAC 38.142 Southeastern Alaska Geoduck Fishery Management Plan.

PROPOSED BY: Southeast Alaska Regional Dive Fisheries Association.

WHAT WOULD THE PROPOSAL DO? This would clarify language in the geoduck fishery management plan to ensure geoduck permit holders could harvest geoduck clams on mariculture sites that are not permitted for geoduck mariculture.

WHAT ARE THE CURRENT REGULATIONS? The commissioner may issue an aquatic farm permit if the proposed site does not require a significant alteration to traditional fisheries [AS 16.40.105]. The current regulation closes waters under all permitted mariculture sites to commercial geoduck harvest [5 AAC 38.142].

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Clarify that commercial geoduck harvest can occur under mariculture sites not permitted for geoduck.

BACKGROUND: Many aquatic farms are permitted in locations that are valuable to existing commercial, sport, personal use, and subsistence fisheries, as well as recreational uses. Members of the public are not permitted to touch or damage gear; product; or interfere with aquatic farm operations. However, they can be around, within and under the farm footprint for access to fisheries and other uses. Aquatic farm operations can coexist with established uses without significant conflict, that is why aquatic farm leases and operations permits are able to be issued in multiple use areas.

DEPARTMENT COMMENTS: The department **SUPPORTS** this clarification of the existing regulation.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal will not result in an additional cost for the department.

SEA CUCUMBER (5 PROPOSALS)

PROPOSAL 217 – 5 AAC 38.140. Southeastern Alaska Sea Cucumber Management Plan.

PROPOSED BY: Brian Cloose.

WHAT WOULD THE PROPOSAL DO? This seeks to increase the amount of time the sea cucumber fishery would be open weekly for harvest by adding Sunday 8:00 a.m. to 3:00 p.m.

WHAT ARE THE CURRENT REGULATIONS? The standard sea cucumber weekly fishing period in regulation is Monday from 8:00 a.m. to 3:00 p.m., and Tuesday from 8:00 a.m. to 12:00 noon. Starting in November, management biologists can extend the fishery to provide additional opportunity in areas that have adequate guideline harvest level (GHL) remaining. Divers are also limited by a 2,000-pound weekly harvest limit. Many divers reach their 2,000-pound weekly limit in the current regulatory time frame.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would increase the number of days the sea cucumber fishery was open weekly. It would provide divers with additional fishing time.

BACKGROUND: The commercial harvest of sea cucumbers began in Southeast Alaska in the Ketchikan area under an experimental permit in 1983. Fishery participation and harvest quickly increased and in May 1990 the experimental fishery was closed, and the fishery was subsequently reopened under the *Southeast Alaska Sea Cucumber Fisheries Management Plan*. The initial regulatory language in 5 AAC 38.140 was adopted by the board in 1991, and the fishery transitioned to limited entry in 2000.

Over time, there have been changes to the designated harvest days. In the early 1990s, the fishery was open on Sundays and Mondays. After the adoption of the Southeastern Alaska Sea Cucumber Management Plan in 1991, the days shifted to 2 48-hour time periods on Saturday and Sunday, and Wednesday and Thursday. At the 1994 Board of Fisheries meeting, the harvest days were reduced and moved to Monday and Tuesday. Specifically, in November the fishery was limited to Mondays, and from December through March it was Mondays and Tuesdays during daylight hours. This change was implemented to limit participation and slow the pace of the fishery. The shift to weekdays prioritized divers who relied on commercial harvesting as their primary source of income. While the regulatory language regarding fishery opening times has been modified over the years, the days themselves have remained unchanged since the 1994 BOF meeting. The current regulatory framework for weekly openings appeared at the 2000 BOF meeting and fishery is open on Monday 8:00 a.m. to 3:00 p.m. and Tuesday 8:00 am to 12:00 p.m.

The department has the authority to reduce the hours during an open period to match the anticipated effort and harvest with the remaining GHL of an area. The department also has the authority to extend the weekly fishing period beginning in November. Extending the weekly harvest period allows divers additional opportunity in areas that remain open. Effort usually drops significantly in November and the remaining areas may require longer travel times, are not as productive or have lower sea cucumber densities and are generally more challenging to harvest the weekly 2,000-pound harvest limit.

Sea cucumber commercial fishery season durations have been longer in recent years due to numerous factors. Recent years have had the highest overall GHLs of the 3 rotations due to

regionally high sea cucumber abundance. Additionally, direct marketing of sea cucumbers has increased in popularity, and divers with a direct marketing permit can continue to harvest after processors have ended for the season.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this potentially allocative proposal. Expanding the number of hours a diver can harvest sea cucumbers during a fishing period will increase the weekly harvest and increase the number of divers that reach their 2,000-pound weekly trip limit. As more divers reach the weekly harvest limit, areas will close sooner resulting in a shorter season.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 218 – 5 AAC 38.140. Southeastern Alaska Sea Cucumber Management Plan.

PROPOSED BY: Tom Carruth.

WHAT WOULD THE PROPOSAL DO? This would allow the department the ability to extend the sea cucumber fishery season past the regulatory closure of March 31 if there are areas with remaining guideline harvest level (GHL).

WHAT ARE THE CURRENT REGULATIONS? The sea cucumber fishery season is defined in regulation as the first Monday in October through March 31.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Areas with remaining GHL could be open beyond March 31.

BACKGROUND: Sea cucumber harvest has occurred in Southeast Alaska (SEAK) since 1983. Prior to the 1990/91 season, the fishery was managed by permit only and harvest occurred throughout the year. During the 1990/91 season, harvest occurred from October through May. The Alaska Board of Fisheries (board) adopted the 5 AAC 38.140. *Southeastern Alaska Sea Cucumber Management Plan* in 1991, and it was originally written with a harvest season from October 1 through March 31. At the 1994 board meeting the board changed the season date to November 1 to March 31. A later start time was chosen to slow down the pace of the fishery and to avoid conflict with the sea urchin and geoduck dive fisheries that began October 1. During the 1997 board meeting, the season dates were reverted to October 1 through March 31. The season dates had remained the same until the 2022 board meeting when the start date was changed from October 1 to the first Monday in October to ensure the fishery was open for the full 11 hours the first week of the season.

The current season closure corresponds with the sea cucumbers reproductive cycle. Sea cucumber spawn time varies across their range. Whitefield and Hardy (2019)²³ found sea cucumbers to spawn during April through June from samples collected over 3 years at the same location near Ketchikan. Previous studies done in British Columbia found spawn timing to occur June through August, and July and September (Cameron and Fankboner 1989)²⁴. Notes on dive sheets from ADF&G research divers have documented spawning events for sea cucumbers from April through August throughout SEAK.

Sea cucumber divers have several options for selling their product, depending on the type of permit they hold. Most divers sell their harvested sea cucumbers to processing facilities. In recent years, there has been an increase in direct market permit holders, who process and sell their sea cucumbers independently. These divers can harvest after traditional processing facilities no longer purchase sea cucumbers. Processors are limited by their markets for sea cucumbers, the quality of the product they receive during different times of year, and they often shift their focus to other fisheries such as crab and herring towards the end of the sea cucumber fishing season.

²³ Whitefield, C. R. and S. M. Hardy. 2019, Estimates of Reproductive Potential and Timing in California Sea Cucumbers *Parastichopus californicus* (Stimpson, 1857) from Southeast Alaska Based on Natural Spawning." *Journal of Shellfish Research* 38: 191 - 199.

²⁴ Cameron, J. L. and P. V. Fankboner, 1989, Reproductive biology of the commercial sea cucumber *Parastichopus californicus* (Stimpson) (Echinodermata : Holothuroidea). II. Observations on the ecology of development, recruitment, and the juvenile life stage. *Journal of Experimental Marine Biology and Ecology* 127(1) 43-67.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. A later season is likely to overlap with sea cucumber spawn timing. The effects of harvesting during this time period are unknown but a precautionary approach should be taken.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal may result in some additional cost for the department. Management staff are fully tasked beyond March 31 (actually beginning mid-March) in managing herring, shrimp and salmon fisheries as well as conducting stock assessment for herring and miscellaneous shellfish.

PROPOSAL 219 – 5 AAC 38.140. Southeastern Alaska Sea Cucumber Management Plan.

PROPOSED BY: Seth Rockwell.

WHAT WOULD THE PROPOSAL DO? This seeks to clarify when a sea cucumber permit holder is in possession of the product they harvested.

WHAT ARE THE CURRENT REGULATIONS? Current regulations do not define “possession” in the context of a dive fishery where the permit holder is not required to be physically on board the vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would clarify that divers do not need to be in the direct vicinity of the sea cucumbers in their possession during or after a weekly sea cucumber opening.

BACKGROUND: 5 AAC 38.140. *Southeastern Alaska Sea Cucumber Management Plan* states that the possession limit for a Commercial Fisheries Entry Commission (CFEC) permit holder is 2,000 pounds of eviscerated sea cucumbers during any weekly fishing period and that a CFEC permit holder may harvest sea cucumber by hand with either scuba gear; a tethered, umbilical, surface supplied system; or a snorkel. Divers have never been required by regulation to be physically present with the sea cucumbers in their possession while harvesting sea cucumbers.

Up to 2 divers can dive from a registered sea cucumber vessel. The divers will either send a float to the surface attached to their bag of sea cucumbers, attach the bag of sea cucumbers to a down line from the registered vessel, or bring the bag to the surface themselves. The fishing vessel picks up the bag while the diver continues to harvest sea cucumbers until the permit holder has reached the 2,000-pound trip limit or the weekly fishing period closes. Therefore, it is common practice in the sea cucumber fishery for the diver to not be present onboard the vessel with their sea cucumbers while a fishery is open.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. If the board chooses to define possession in the sea cucumber fishery, possession should also be defined for the geoduck and sea urchin fisheries.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 220 – 5 AAC 38.140. Southeastern Alaska Sea Cucumber Management Plan.

PROPOSED BY: Seth Rockwell.

WHAT WOULD THE PROPOSAL DO? This would clarify that crew members of a registered dive vessel may be in possession of sea cucumbers harvested by the sea cucumber permit holder during and after a commercial fishery opening.

WHAT ARE THE CURRENT REGULATIONS? Current regulations do not specify that crew members on board the vessel may be in possession of sea cucumbers while Commercial Fisheries Entry Commission (CFEC) sea cucumber permit holders who harvested the product are not present.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would specify that crew members may be in possession of sea cucumber harvested by a licensed CFEC sea cucumber permit holder while the permit holder is not present.

BACKGROUND: The board initially adopted 5 AAC 38.140. *Southeastern Alaska Sea Cucumber Management Plan* in 1991, and it was originally written that the breathing apparatus a licensed CFEC permit holder may harvest sea cucumber with was scuba gear; a tethered, umbilical, surface supplied system; or a snorkel. The allowed breathing apparatus remains the same in regulation today. Divers have never been required by regulation to be tethered to a registered dive vessel while harvesting sea cucumbers and it is not common practice amongst the dive fleet to do so unless diving on surface supplied air necessitates it.

Scuba is commonly used in the commercial fishery to harvest sea cucumber. Because up to 2 divers can dive from a registered vessel, it is common for a sea cucumber fishing vessel to drop divers off a distance away from each other. Regardless of breathing apparatus gear type, divers will either send a float to the surface attached to their bag of sea cucumbers, attach the bag of sea cucumbers to a down line from the registered vessel, or bring the bag to the surface themselves. The registered fishing vessel picks up the bag while the diver continues to harvest sea cucumbers until the permit holders 2,000 pound trip limit is reached or the weekly fishing period closes. Some permit holders that release the float attached to the bag of sea cucumbers will then retrieve their bags of sea cucumbers after the fishery closes to maximize their harvest time during the open period. Therefore, it is common practice in the sea cucumber fishery for the diver to not be present onboard the vessel with their sea cucumbers while a fishery is open.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. If the board chooses to adopt this proposal to define crew members may be in possession of harvested seas cucumbers, then the board should consider this for the geoduck and sea urchin fisheries.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 221 – 5 AAC 41.285. Aquatic stock acquisition on an aquatic farm site. and 5 AAC 41.235. Determination of insignificant population.

PROPOSED BY: Dale Stanley.

WHAT WOULD THE PROPOSAL DO? This would prohibit aquatic farms from being permitted to rear sea cucumbers in areas that support commercial sea cucumber fisheries.

WHAT ARE THE CURRENT REGULATIONS? The commissioner can deny or restrict an aquatic farm operations permit if wild stock acquisition will impair sustained yield of the proposed species or will unreasonably disrupt established use of the resource (AS 16.40.120). The commissioner will review if a population is insignificant, on a case-by-case basis, based on whether that population would attract and support a commercial fishery, or if harvest and sale of that population will result in significant alteration of an established use (5 AAC 41.235). An aquatic farm may culture wild stock that naturally sets on gear if the species is on the aquatic farm operations permit (5 AAC 41.285).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Aquatic farm operations permits cannot be issued for sea cucumbers in areas that support sea cucumber fisheries.

BACKGROUND: In 2023, there were 5 aquatic farms and 2 aquatic farm hatcheries permitted to rear sea cucumbers in Alaska. Current inventory is 250 sea cucumbers. To date, there have been no reported sales.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal will not result in an additional cost for the department.

SHRIMP (8 PROPOSALS)

PROPOSAL 222 – 5 AAC 02.110. Subsistence Shrimp Fishery; 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area; and 5 AAC 77.660. Personal Use shrimp fishery.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would adopt seasonal closures for subsistence, sport, and personal use shrimp fisheries to protect shrimp during a sensitive time in their life cycle where eggs develop and hatch. Shrimp could be taken in pot fisheries May 1 through February 28 and would be closed in March and April.

WHAT ARE THE CURRENT REGULATIONS? There is currently no regionwide seasonal closures for these fisheries. The season is January 1 through December 31.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would close the sport, personal use, and subsistence shrimp pot fisheries in March and April, a biologically sensitive period for pandalid shrimp when eggs mature and hatch. Adopting this proposal could encourage healthy recruitment and benefit the sustainability of Southeast Alaska shrimp pot fisheries. It would also allow the subsistence, sport, and personal use fisheries opportunity to harvest for 2 weeks before the opening of the commercial fishery on May 15.

BACKGROUND: Pandalid shrimp mate from August through September, carry eggs October through February, eggs mature and hatch March through mid-May, and July through August there is a period of increased natural mortality and molting (Figure 222-1). Commercial shrimp pot fisheries have a seasonal closure from March 1 through May 15, established as part of the *Southeastern Alaska Area Pot Shrimp Fishery Management Plan* (5 AAC 31.145) that mandated protecting the stock during biologically sensitive periods of the shrimp's life cycle, including egg hatch, growth, and recruitment.

The magnitude of the regional subsistence, sport, and personal use harvest of spot shrimp was largely unknown until 2018 when a permit with harvest reporting was required for these fisheries. Recent harvest data show that collectively these fisheries make up 19% to 26% of the total annual spot shrimp harvest. An average of 3% of the sport fishery and 8% of the combined personal use and subsistence shrimp harvest occurs during the proposed closure period.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. March and April are a biologically sensitive period for pandalid shrimp when eggs mature and hatch. Best fishing practices dictate that fishing during such periods should be avoided to enhance long term stock resilience. For this reason, the regional commercial shrimp pot fishery has had season closures during this time for many years. Adopting a seasonal closure during egg hatching is likely to benefit the sustainability of Southeast Alaska shrimp pot fisheries, is especially pertinent given recent regional declines in spot shrimp abundance and would align with the conservation efforts in commercial fisheries. If adopted, the board may wish to consider whether regulations continue to provide a reasonably opportunity for subsistence uses of shrimp.

COST ANALYSIS: Approval of these proposals is not expected to result in additional direct costs for individuals participating in this fishery. Additionally, approval of this proposal is not expected to incur any additional costs for the department.

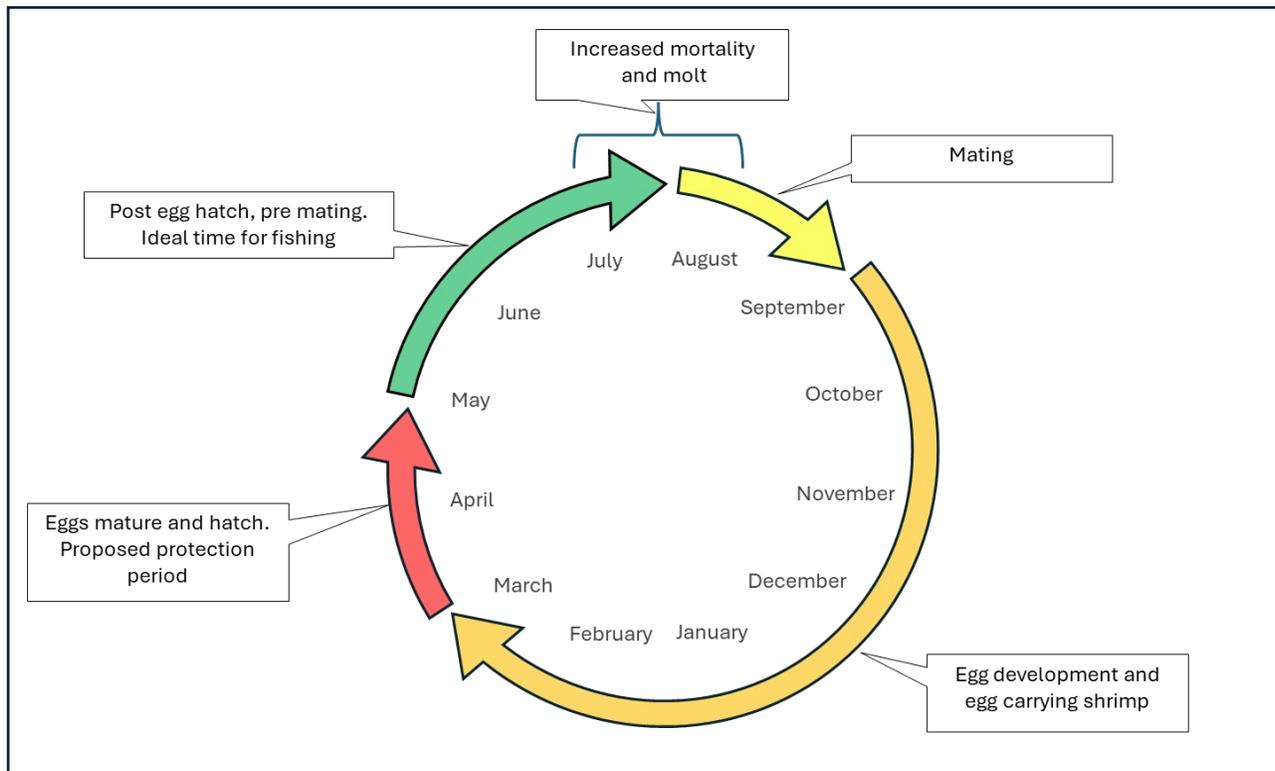


Figure 222-3.—Annual breeding cycle of reproductive female spot shrimp and estimated timing in Southeast Alaska.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? Partially.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has determined under 5 AAC 02.108 that shrimp in Districts 7 and 8, District 13 except portions of 13-C, and District 15 are customarily and traditionally taken or used for subsistence.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has not made this determination.
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

PROPOSAL 223 – 5 AAC 02.110. Subsistence Shrimp Fishery; 5 AAC 47.035. Methods, Means, and General Provisions - Shellfish; and 5 AAC 77.660. Personal Use Shrimp Fishery.

PROPOSED BY: East Prince of Wales Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Increase the maximum size of shrimp pot tunnel openings from a 15-inch perimeter to a 16-inch perimeter in Southeast Alaska’s subsistence, sport, and personal use fisheries.

WHAT ARE THE CURRENT REGULATIONS? Shrimp pots used in the subsistence, sport, and personal use fisheries must have tunnel openings with a maximum perimeter of 15 inches with no more than 4 tunnel eye openings. The bottom perimeter may not exceed 153 inches and the volume is limited to 25 cubic feet.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would allow some pots currently manufactured for other fisheries to be used in Southeast Alaska’s subsistence, sport, and personal use shrimp fisheries. This change could also lead to increased bycatch of larger commercial and noncommercial species, such as crab.

BACKGROUND: Shrimp pot size restrictions were first implemented in noncommercial fisheries in 1986, including tunnel eye opening size limits, with each opening having a perimeter no larger than 15 inches. This restriction was designed to reduce bycatch and prevent the targeting of other species including Dungeness, Tanner, and king crabs, using shrimp pots. Most pots, whether rigid or non-rigid, used in Southeast Alaska feature a funnel-shaped tunnel. This tunnel starts wide and narrows into a circular opening, allowing shrimp to enter the pot while limiting their escape. Less commonly, a narrow rectangular tunnel opening is used. No matter the shape, regulations impose the same maximum perimeter to minimize bycatch.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Increasing the perimeter of the tunnel opening by 1 inch would allow more and larger bycatch species to enter the pot. The tunnel eye opening has been standardized since 1984 making the interpretation of fishery data more reliable. Shrimp pots manufactured with tunnel eye openings larger than 15 inches can easily be modified by closing a portion of the tunnel opening with braided twine or stainless-steel wire.

COST ANALYSIS: Approval of these proposals is not expected to result in additional direct costs for individuals. Additionally, approval of this proposal is not expected to incur any additional costs for the department.

PROPOSALS 224 and 225 – 5 AAC 31.110. Shrimp pot fishing seasons and periods for Registration Area A.

PROPOSED BY: Robert T Mosher (Proposal 224) and Territorial Sportsmen Inc (Proposal 225).

WHAT WOULD THE PROPOSAL DO? Change the opening of the Southeast Alaska commercial shrimp pot fishery from May 15 to October 1.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow spot shrimp to be taken by pots from May 15 through July 31 unless closed earlier by emergency order and allow for a fall season by emergency order October 1 – February 28.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would shift the fishery back to a primarily fall/winter season, which is a less biologically appropriate time than the spring. It would also preempt the opportunity to observe any impacts that a primarily spring fishery may have on the overall health of shrimp populations. Competition among the commercial and the subsistence, personal use, and sport shrimp fisheries may decrease.

BACKGROUND: Shrimp were first commercially harvested by pot in Southeast Alaska in 1962. The first management plan was put into regulation in 2000. This included an October 1 through February 28 (fall/winter) season, with the ability to reopen May 1–July 31 if the quota was not harvested in the fall and winter season. The March 1 through May 15 closure in the commercial fishery was established to protect the stock during the egg hatch period. Fishery timing was chosen to reduce competition with the larger spring/summer Canadian fishery and allow participants to also participate in other summer fisheries.

The fall/winter season was in regulation until 2022 when the board, responding to proposals from multiple advisory committees and individuals and supported by the department, shifted the opening date of the Southeast Alaska Shrimp Pot Fishery season to May 15 – July 31 (spring/summer), with the ability to reopen from October 1 to February 28. The main purpose of this change was to improve the reproductive potential of shrimp stocks to help the shrimp populations increase. Unlike other crustacean fisheries, the fishery targets the larger and more fecund female shrimp for the higher market price. Waiting to harvest shrimp until May 15 allows eggs to hatch before large females are removed from the population during the fishery. In addition, reproductive females experience increased natural mortality due to molting and mating in late summer. The spring/summer fishery allows harvest before this period. Although controversial, this change had broad support at the 2022 board meeting with 8 advisory committees either proposing or in favor of the change, and 2 opposing.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects but **OPPOSES** reverting the shrimp pot season to a fall/winter season. The spring/summer season allows for the majority of shrimp to be harvested at a more biologically appropriate time, after egg hatching, and before the increased natural mortality for large females that comes with molting and mating (Figure 224-1). The majority of reports the department has received from the commercial fleet in the past 2 seasons with a spring/summer start, indicate shrimp captured in the fishery are of high quality and robust markets exist for them. The spring season has not yet been in place long enough for the shrimp population to benefit from the increased reproductive potential inherent in fishing in the spring. An additional 2 to 3 years will be needed to allow the new cohorts of shrimp to reach a size in which they can be captured in the fishery. However, evidence of these cohorts

was seen during the department's 2024 fall shrimp pot survey that utilizes sublegal mesh in order to detect smaller individuals.

COST ANALYSIS: Approval of these proposals is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of these proposals are not expected to result in an additional cost for the department.

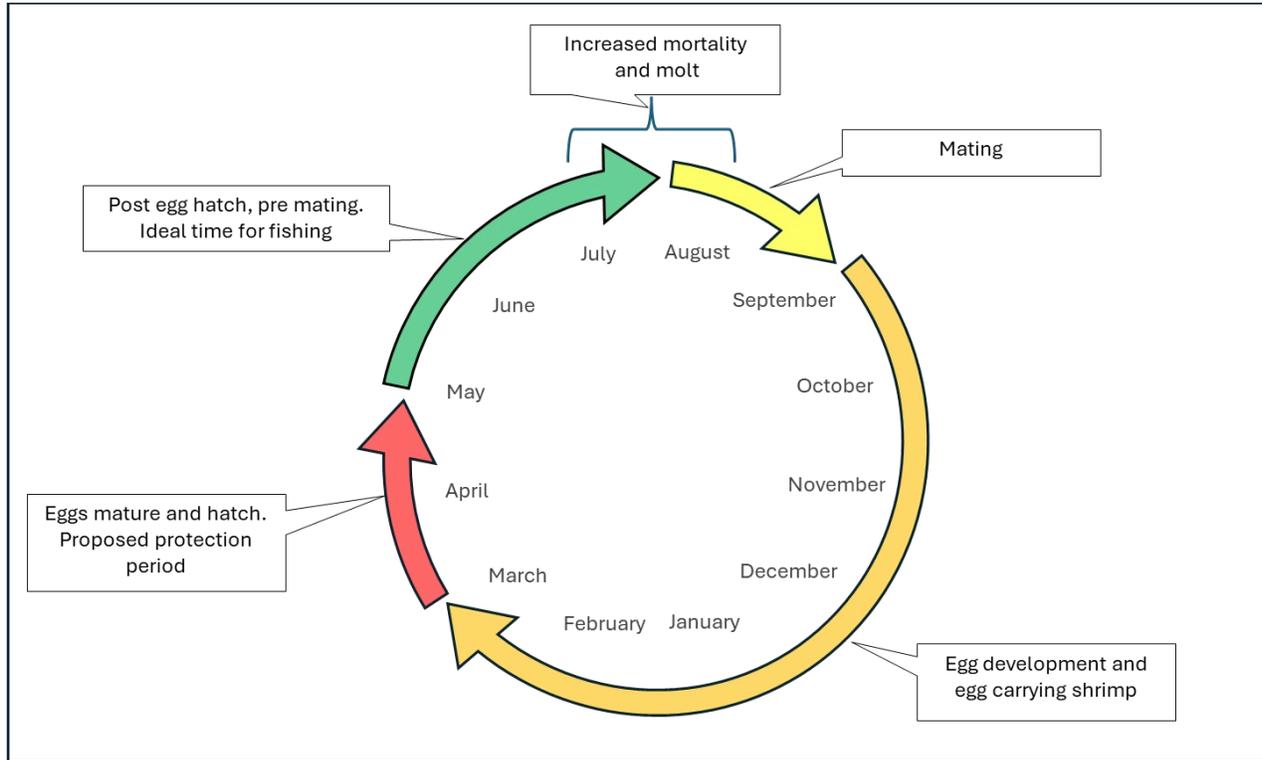


Figure Proposal 224-1.—Annual breeding cycle of reproductive female spot shrimp and estimated timing in Southeast Alaska.

PROPOSAL 226 – 5 AAC 31.115. Shrimp pot guideline harvest ranges for Registration Area A. and 5 AAC 31.124. Lawful shrimp pot gear for Registration Area A.

PROPOSED BY: Mark Hofmann.

WHAT WOULD THE PROPOSAL DO? Reduce all shrimp pot guideline harvest levels (GHLs) in Registration Area A by 20%, reduce the number of pots allowed to be operated by a registered shrimping vessel by 40 to 50%, and eliminate the large shrimp pot size over the next 3 years.

WHAT ARE THE CURRENT REGULATIONS? Current regulations define Guideline Harvest Ranges (GHRs) for 22 fishery areas in Southeast Alaska. Guideline Harvest Levels (GHLs) are set by the department within the GHRs annually. A registered fishing vessel may operate a maximum of 140 small pots (defined as having a bottom perimeter of less than 124 inches) or 100 large pots (defined as having a bottom perimeter greater than 124 inches but no more than 154 inches).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would decrease the harvest in all shrimp pot fishing areas within Registration Area A and slow the fishery due to the reduction in number of pots allowed to be operated by a fishing vessel.

BACKGROUND: The Southeast Alaska shrimp pot fishery is managed in season to limit harvest in each fishery area to GHLs, that are established annually by the department. GHLs are set within the Guideline Harvest Ranges (GHRs) that were first established in regulation in 1997 (5 AAC 31.115). The lower limit of each GHR is zero, meaning the department may keep an area closed in a given season while the upper limits were initially based on the average harvests from the 1990/91 to 1994/95 seasons. The GHRs have been adjusted multiple times by the board for various fishery areas. Annual GHLs are determined by the department's stock assessment program that includes preseason surveys, on-the-ground sampling, logbook analysis, and fish ticket data. A detailed review of GHL changes, the rationale behind them, and the creation of new fishery areas is provided in the current Southeast Alaska Region Shrimp Fisheries Management Report²⁵.

The current pot sizes, limits, and fishing periods have been in regulation since 1997. These measures were collectively implemented to reduce fleet efficiency, resulting in a slower paced and more orderly fishery. They also aim to reduce the harvest of small shrimp by limiting fishing hours, extending soak times, and allowing mesh sizes to passively sort out smaller shrimp. Additionally, these regulations ensure gear standardization enabling managers to compare fishery performance data. 2 categories of pot sizes and limits were established: vessels can operate up to 140 "small pots" with a bottom perimeter of no more than 124 inches or up to 100 "large pots" with a bottom perimeter of more than 124 inches but not exceeding 153 inches. These limits were designed to provide the fleet flexibility in gear selection while still controlling overall harvest levels.

DEPARTMENT COMMENTS: The department **OPPOSES** a 20% reduction of the GHL across the entirety of Registration Area A. Systems are already in place to reduce GHLs based on negative survey results and/or fishery performance. These practices are designed to maintain a range of shrimp age classes ensuring the long-term viability of the stocks and reducing dependence on annual recruitment. Because GHLs are not in regulation, GHRs would have to be lowered to reduce

²⁵ Smith, Q., and J. Stratman. 2021. Southeast Alaska Region Shrimp Fisheries Management Report through 2019/20 Season. Alaska Department of Fish and Game, Fishery Management Report No. 21-32, Anchorage.

maximum GHGs and in doing so, would constrain the department's ability to increase harvest on these stocks in the future.

The department is **NEUTRAL** on the pot reduction and elimination of large size class aspect of this proposal. There may be benefits in slowing the pace of the fishery in some areas. However, the department has generally been able to effectively manage the faster paced fisheries and achieve GHGs. The department is concerned that reducing the number of pots may increase the incidence of hauling pots twice a day, which would increase the handling and mortality of small shrimp.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery as those participants who currently utilize large class pots would need to purchase new, smaller-sized gear. Approval of this proposal is not expected to incur any additional costs for the department.

PROPOSAL 227 – 5 AAC 31.124. Lawful shrimp pot gear for Registration Area A.

PROPOSED BY: Mark Hofmann.

WHAT WOULD THE PROPOSAL DO? This would allow more than 1 CFEC shrimp pot permit (P91A) holder in Southeast Alaska to fish from the same vessel and jointly operate all the allowed pots for the base permit and up to 50% of the allowed pots for the second permit.

WHAT ARE THE CURRENT REGULATIONS? A vessel operator may have only shrimp pot gear owned by that person aboard the vessel at any time. A registered shrimp vessel may not have more than 1 legal limit of shrimp pot gear on board the vessel, in the water in fishing condition, and in the water in nonfishing condition, including commercial and noncommercial shrimp pots. All pots on board a vessel or operated from a vessel must be of the same type and of the same size.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Two (2) permit holders could operate commercial shrimp pot gear from the same vessel and use a maximum of 210 small pots or 150 large pots instead of the 140 small or 100 large pots that 1 permit holder can currently use. The total pots fished would likely increase due to more permits being utilized in the fishery. This fishery has a large amount of latent permits (Table 227-1) that would likely become active if dual permit operation with gear stacking was allowed, that could increase the pace of the fishery with added participation. Larger vessels participating in the fishery may receive an advantage, especially in smaller areas where harvest limits are reached quickly, by having an ability to deploy more gear.

BACKGROUND: In 1995, the CFEC was petitioned to include pot gear for shrimp into the limited entry program. The shrimp pot fishery is now limited entry and in 2023, there were 228 active and interim permits of which 100 permits were fished. Permit latency in this fishery is substantial and the annual average unfished permits from 1998-2023 is 154 permits (Table 227-1). The current pot sizes and limits have been in regulation since 1997, and were implemented to help reduce fleet efficiency thereby slowing the overall pace of the fishery and allow for gear standardization so fishery performance data can be utilized by managers.

Dual permit operation and permit stacking has been utilized in several fisheries to reduce the amount of gear being fished and increase efficiency. These goals are likely accomplished in a fishery that has increased numbers of permits fishing annually, low permit latency, and limited area to fish.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal due to the potential to increase the pace of this fishery with increased participation from latent permits but is **NEUTRAL** on the allocative aspects of this proposal. Permit values for this fishery have been relatively low compared to other fisheries in the region in recent years with a mean estimated value of \$18,700 in 2020 and a 2024 mean value of \$29,000. More than half the permits are not being fished and dual permit operations could result in substantially increased effort that would be contradictory to the intent of the proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 227-8.—Annual Southeast Alaska shrimp pot fishery permits issued or renewed, fished, and not fished, 1998–2023.

Year	Total permits issued/renewed	Total permits fished	Total permits not fished	Latency rate
1998	204	101	103	50%
1999	294	138	156	53%
2000	310	151	159	51%
2001	314	164	150	48%
2002	318	154	164	52%
2003	305	155	150	49%
2004	301	148	153	51%
2005	292	141	151	52%
2006	289	136	153	53%
2007	283	108	175	62%
2008	277	96	181	65%
2009	278	108	170	61%
2010	275	106	169	61%
2011	272	108	164	60%
2012	269	103	166	62%
2013	266	109	157	59%
2014	262	99	163	62%
2015	257	97	160	62%
2016	256	105	151	59%
2017	256	105	151	59%
2018	252	105	147	58%
2019	245	94	151	62%
2020	241	107	134	56%
2021	238	98	140	59%
2022	234	5*	NA*	NA*
2023	228	100	128	56%
Ave	270	117	154	57%

Note: * Only summer season open in 2022 prior to 2023 spring start; NA denotes not applicable.

PROPOSAL 228 – 5 AAC 31.124. Lawful shrimp pot gear for Registration Area A.

PROPOSED BY: Jared Bright.

WHAT WOULD THE PROPOSAL DO? This would allow collapsable coil spring (slinky) pots to be used in the Southeast Alaska commercial shrimp pot fishery.

WHAT ARE THE CURRENT REGULATIONS? A lawful commercial shrimp pot is defined as having no more than 1 bottom, a vertical height maximum of 24 inches, a maximum of 4 tunnel eye openings which individually do not exceed 15 inches in perimeter, a bottom perimeter with a maximum of 153 inches, sides that are at a right angle to the plane of the bottom of the pot or slanted inwards toward the center of the pot in a straight line from the bottom to the top of the pot, covered with net webbing or rigid mesh with at least 2 adjacent sides or 50% of the vertical or near vertical sides covered with net webbing or rigid mesh that allows the passage of a ⁷/₈ inch diameter by 12 inch long wooden dowel that upon insertion into the web must drop completely through by its own weight without force. Shrimp pots are divided into 2 classes: small, that has a bottom perimeter of no more than 124 inches; and large, that has a bottom perimeter of more than 124 inches but no more than 153 inches. The number of shrimp pots that may be operated from a registered shrimp fishing vessel is 140 small pots or 100 large pots and all pots on board a vessel must be of the same type and of the same size.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Slinky pots, that are long cylindrical pots that sit on the ocean floor without a true top or bottom, could be used in the commercial shrimp pot fishery in addition to the cone, cube, or short cylinder pots currently used and described in regulation that sit on an end or bottom. A slinky pot category would need to be added in addition to the current small and large pots on shrimp fishing vessel registrations to allow comparison of fishery performance data across pot types, and it would take some time to develop a baseline for meaningful comparison using a different pot type. Small pots and slinky pots could be fished at the same time if this proposal were adopted with a maximum allowance of 140 total pots. Smaller boats may be able to fish the maximum number of pots allowed due to slinky pots being lighter and occupying less space on the deck of the boat.

BACKGROUND: The current pot sizes, limits, and fishing periods in the Southeast Alaska commercial shrimp pot fishery have been in regulation since 1997. These measures were collectively implemented to reduce fleet efficiency, resulting in a slower-paced and more orderly fishery. They also aim to reduce the harvest of small shrimp by limiting fishing hours, extending soak times, and allowing mesh sizes to passively sort out smaller shrimp. Additionally, these regulations ensure gear standardization, enabling managers to compare fishery performance data. 2 categories of pot sizes and limits were established: vessels can operate up to 140 small pots with a bottom perimeter of no more than 124 inches, or up to 100 large pots with a bottom perimeter of more than 124 inches but not exceeding 153 inches. These limits were designed to provide the fleet flexibility in gear selection while still controlling overall harvest levels.

The use of slinky pots in Alaska groundfish fisheries has increased in recent years particularly with the allowance of pot gear in commercial state-managed sablefish fisheries (Southern Southeast Inside Subdistrict in 2017 and Northern Southeast Inside Subdistrict in 2022) and the personal use sablefish fishery in Southeast Alaska in 2018. The use of pot gear in these fisheries, instead of traditional longline gear with baited hooks, was initiated due to whale depredation and bycatch issues when using traditional gear. Slinky pots provide advantages over traditional rigid pots as

they are lightweight and collapsible allowing vessels with limited deck space or hydraulic power more access to pot fishing. Slinky pots are currently allowed in subsistence, personal use, and sport shrimp pot fisheries in Southeast Alaska but the extent to which they are used is unknown.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. The department is concerned that changing shrimp pot configuration requirements would lead to less consistent harvest and CPUE information in the commercial fishery; however, it would align with pots currently allowed in the subsistence, personal use, and sport fisheries.

If adopted, the board would need to consider a new regulation or modify the current regulation for mesh size requirements for slinky pots to ensure small sized shrimp can escape the pot. Slinky pots would need to have all but the tunnel ends covered with webbing large enough so a 7/8 inch diameter by 12 inch long wooden dowel can pass completely through by its own weight, without force.

Escape mechanisms for slinky groundfish pots are described in 5 AAC 39.145 (5) and would need to be defined for slinky shrimp pots.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 229 – 5 AAC 31.105. Description of Registration Area A districts and sections; 5 AAC 31.115. Shrimp pot guideline harvest ranges for Registration Area A; 5 AAC 33.200. Fishing districts and sections; 5 AAC 32.105. Description of Registration Area A districts; 5 AAC 38.076. Alaska Scallop Fishery Management Plan; and 5 AAC 38.105. Description of Registration Area A districts and sections.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would repeal redundant descriptions of Southeast Alaska districts and sections in 5 AAC 31.105, update 5 AAC 33.200 with District 10 section descriptions, add Section 6-E to District 6 shrimp pot fishing areas, and update regulations that refer to 5 AAC 31.105.

WHAT ARE THE CURRENT REGULATIONS? There are 2 descriptions for Southeast Alaska districts and sections: 1 in the commercial salmon chapter and 1 in the commercial shrimp chapter. The descriptions are identical with the exception of District 10 section descriptions are described in the shrimp chapter but not the salmon chapter. Most regulations, including all subsistence, personal use, sport, Tanner crab and red king crab, refer to the descriptions found in the commercial salmon chapter.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? There would be no effect on subsistence, personal use, sport and commercial fisheries. Regulations would be clearer and there would be no discrepancies among area descriptions.

BACKGROUND: Districts and sections have been described in the salmon chapter since statehood and in the shrimp chapter since at least 1986. It is unknown why there was a need for both descriptions.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to incur any additional costs for the department.

MISCELLANEOUS SHELLFISH (3 PROPOSALS)

PROPOSALS 230 and 231 – 5 AAC 38.XXX. Southeastern Alaska Squid Fishery Management Plan.

PROPOSED BY: Richard Yamada and Juneau Douglas Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would create a directed jig fishery for magister armhook squid in the waters of Southeast Alaska.

WHAT ARE THE CURRENT REGULATIONS? All legal gear may be used to take octopi and squid. There is no closed season for octopi and squid. Squid may be taken for commercial harvest only under the authority of a Commissioner's Permit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? There would be a fishery management plan for a squid fishery that hasn't been developed and for a species that the department has very little information for. It is unknown to what extent fishers would participate in a directed fishery if this proposal were adopted.

BACKGROUND: Magister armhook squid (*Berryteuthis magister*) is a short-lived species that grows and matures quickly with complex populations, like other squid, composed of multiple cohorts spawned throughout the year. There are no directed commercial fisheries for any squid in Alaska but, there is a bycatch limit set in some commercial fisheries that target other species like the Bering Sea and Aleutian Islands pollock trawl fisheries. In Southeast Alaska, market squid (*Doryteuthis opalescens*) and magister armhook squid have been historically observed and increased abundances appear to be correlated with warmer water such as El Nino events.

Commissioner's Permits have been issued for the experimental harvest of market and magister armhook squid in Southeast Alaska since at least the early 1990s. The purpose of these permits is to allow a limited harvest to determine species distribution and abundance, obtain biological data, test market conditions, and to evaluate operational and catch characteristics of gear. Most squid harvest in these experimental fisheries have been in District 1 in the southern portion of the region and have utilized mechanical jigging machines and rod and reel to harvest magister armhook squid. A maximum allowable harvest of 10 tons of magister armhook squid has been permitted in the Ketchikan area fishery annually with individual permits issued for 1 ton of squid. More recently in the Juneau area, a maximum allowable harvest of 5 tons of magister armhook squid with individual permits issued for 1 ton of squid have been issued. Regionwide harvest of magister armhook squid from Commissioner's Permit fisheries have totaled approximately 2.5 tons whole weight from permits issued from 2012 to 2023. The moderate harvests in this fishery are likely due to small domestic markets rather than low abundance as sport fishermen have been successfully targeting magister armhook squid by rod and reel for decades throughout the region although catch estimates are unknown.

Magister armhook squid appear to have been consistently abundant within the region for at least the past 2 decades based on observations and various fisheries targeting them. Market squid has been more sporadic within the region with abundances in the early 1980s leading to investigations to locate spawning concentrations, collect biological information, and attempt biomass estimation to support management of a commercial fishery. Although a large market already existed for market squid from a commercial seine fishery in the nearshore waters off California, inconsistent

abundance within Southeast Alaska and a low product value necessitating a high-volume fishery did not warrant further investigation.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department does not have a stock assessment program for magister armhook squid and lacks the biological information needed to establish a management plan that would result in a sustainable fishery. There continues to be opportunity to commercially harvest magister armhook squid under terms of a Commissioner's Permit where harvest and effort has remained low. There have been no inquiries from fish buyers or processors regarding increased need of squid harvest to fulfill market demands. At this stage of the fishery, a regulatory management plan is not needed.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal could result in an additional cost for the department if the department were to assess the squid biomass.

PROPOSAL 232 – 5 AAC 38.090. Unlawful possession of miscellaneous shellfish aboard a vessel.

PROPOSED BY: Southeast Alaska Regional Dive Fisheries Association (SARDFA).

WHAT WOULD THE PROPOSAL DO? This would allow vessels registered to fish for miscellaneous shellfish the ability to be in possession of both red and green sea urchins at the same time.

WHAT ARE THE CURRENT REGULATIONS? It is unlawful for any person to possess aboard a vessel registered to fish for miscellaneous shellfish more than 1 species of miscellaneous shellfish at any 1 time.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Southeast Alaska urchin permit holders could harvest red sea urchins and green sea urchins concurrently. Harvest efficiency may increase and costs to the fisher may decrease.

BACKGROUND: There are 2 species of commercially harvested sea urchins in Alaska: the red sea urchin (*Mesocentrotus franciscanus*) and green sea urchin (*Strongylocentrotus droebachiensis*). Red sea urchins have been commercially harvested since an initial test fishery began in 1995–1996. The board adopted a red sea urchin management plan in 1997, and the Southeast Alaska red sea urchin fishery went to a limited entry fishery in 2000. Stock assessments for green sea urchins were conducted in Southeast Alaska during 1999–2001, and results from those surveys indicated a commercial fishery would not be viable due to limited biomass throughout the region and the small size of the green urchins were unfavorable for markets. However, green sea urchins may be commercially harvested under the authority of a Commissioner’s Permit (5 AAC 38.062). In recent years, green sea urchin populations have increased significantly in the Ketchikan area and management biologists have identified a harvestable surplus. Although a new formal stock assessment survey has not been conducted, divers holding a CFEC Southeast Alaska Sea Urchin permit and a Commissioner’s Permit for green sea urchins may land both red and green sea urchins, but not simultaneously.

The regulation limiting harvest to only 1 miscellaneous shellfish species (5 AAC 38.090 [d]) came into regulation at the 1994 board meeting in Sitka. The proposal was submitted by the department in cooperation with the Department of Public Safety. It was enacted to improve management and enforcement of miscellaneous dive fisheries by protecting the resource and creating a fair and orderly fishery where harvesters could not stockpile multiple species during a single fishery opening.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. It aims to increase the efficiency of commercial urchin divers by allowing them to harvest both species concurrently. Although technically distinct, both species are currently landed under the same Southeast Alaska Sea Urchin Permit. This would also incentivize urchin permit holders, who are in possession of a commissioner’s permit for green urchins to test the feasibility and market for green urchins by offsetting food and fuel costs with the ability to harvest red sea urchins concurrently.

This is a statewide regulation that may be more appropriately taken up at the statewide board meeting unless the board chose to make a provision specific to Southeast Alaska.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to incur any additional costs for the department.