

SUMMARY OF ACTIONS

ALASKA BOARD OF FISHERIES

Work Session
October 13-14, 2005
Girdwood, Alaska

DESIGNATED REPORTERS: Sherry Wright and Rita St. Louis

This summary of actions is for information purposes only and is not intended to detail, reflect or fully interpret the reasons for the board's actions.

ACR NO. 1

ACTION: Failed

DESCRIPTION: Limit gillnet depths for conservation of Yukon River chinook.

DISCUSSION: The status of Yukon River chinook salmon as a stock of yield concern will be evaluated prior to the next regular meeting cycle. Board discussed the effects of larger mesh, as well as shallow depth of nets. Federal Subsistence Board Failed this proposal in 2005. Board stated that this does not meet the criteria for an agenda change request.

ACR NO. 2

ACTION: Failed

DESCRIPTION: Allow schedule change for drift and set net to help maintain allocation quota more equitably in the Naknek River Special Harvest Area.

DISCUSSION: There are a number of ACRs that address this issue; the board accepted ACR 36.

ACR NO. 3

ACTION: Accepted

DESCRIPTION: Change drift gear from 50 fathoms to 75 fathoms in the Naknek River SHA.

DISCUSSION: With the additional gear, the drift fleet would harvest more fish, reaching the allocative percentage quicker and decreasing the time the set net fleet waits between fishing periods. Extra gear could help meet the BEG ranges and serve as a conservation measure, as this system has consistently exceeded the OEG. Board scheduled this ACR for the March 2006 meeting in Anchorage.

ACR NO. 4

ACTION: Failed

DESCRIPTION: Factor in a ratio of set net/drift permits fishing in the allocation percentage in the Naknek/Kvichak and Naknek SHA.

DISCUSSION: This ACR is predominately allocative in nature and would change the current allocation plan.

ACR NO. 5

ACTION: Accepted

DESCRIPTION: Allow sale of fish part handicrafts statewide and adopt definition for "handicraft."

DISCUSSION: Manufacturing and selling handicraft items, such as dolls, decorative mukluks, baskets, and bags, made from and/or incorporating the skin and non-edible byproducts of fish or shellfish is a traditional activity in much of Alaska, part of a cottage-industry of craft production and sale. Presently, with some exceptions, the manufacture and sale of handicrafts from wildlife (game) is allowed. The Department of Law advised that in order to allow the sale of traditional handicrafts made from the parts of subsistence-taken fish, an explicit exception similar to that provided in the game regulations is needed. The Department of Law also recommended that the Board adopt a definition of "handicraft" similar to that found in game regulations. The Federal Subsistence Board will consider a similar fisheries proposal in its process. Board scheduled this ACR for the March 2006 meeting in Anchorage.

ACR NO. 6

ACTION: Failed

DESCRIPTION: Restrict high power outboard and jet drive motors in the Goodnews Bay River.

DISCUSSION: The board has authority in habitat and water improvement, but does not have the authority to regulate vessels, including non-fishing vessels. The board stated it must show clear relationship between damage to fish and habitat before such a regulation should be enacted.

ACR NO. 7

ACTION: Failed

DESCRIPTION: Ease restrictions for set gillnet fishery in the Northern District of Cook Inlet.

DISCUSSION: Board stated that this does not meet the criteria for an agenda change request.

ACR NO. 8

ACTION: Failed

DESCRIPTION: Manage east side and west side differently to address escapement goals in the Northern District of Cook Inlet.

DISCUSSION: Currently the entire Northern District is managed for the escapement goal into the Yentna River. In recent years there have been no exceptions to this management scheme, and the entire Northern District is open, restricted to one or two nets instead of three or closed. This does not meet the criteria for an agenda change request.

ACR NO. 9

ACTION: Failed

DESCRIPTION: Adopt a management plan for the Yentna River.

DISCUSSION: In 2005, the department implemented a more conservative fishing schedule with the drift fleet than was allowed in regulation to conserve Northern District, including Yentna River sockeye stocks. Restrictions to the drift fleet included both: 1) areas where Yentna sockeye salmon were thought to be; and 2) not exercising a third commercial opening that was allowed by the management plan. In addition, the Northern District set gillnet fishery was closed for 5 regular fishing periods from July 21 through August 4. This seeks to rewrite the Kenai River Late-Run Salmon Management Plan and the intent is generally the same as ACR 28. The board found it does not meet the agenda change request criteria.

ACR NO. 10

ACTION: Failed

DESCRIPTION: Protect rainbow trout in jeopardy due to anglers' targeting Dolly Varden when trout are spawning in the Kenai River below Skilak Lake.

DISCUSSION: Board believes the population is not endangered. This was discussed at length at the BOF 2005 Upper Cook Inlet meeting. No new information has been presented.

ACR NO. 11

ACTION: Failed

DESCRIPTION: Do not apply the in-district allocation to the Naknek River SHA.

DISCUSSION: This is predominately allocative in nature. There is no new information and the issue was discussed in cycle. It would change the current allocation plan.

ACR NO. 12

ACTION: Failed

DESCRIPTION: Address low sockeye escapement for all northern and Susitna bound stocks.

DISCUSSION: The request does not speak to specifics on what the problem was, only that the board erred in changing the plans and it does not specify what actions are necessary. Department research projects are planned that should provide the board with data to address.

ACR NO. 13

ACTION: Accepted

DESCRIPTION: Describe the closed waters at Packers Creek using GPS points .

DISCUSSION: The closed water area on the north side of the creek is very difficult to define and may be unenforceable when moving offshore from the beach. Although this issue was addressed

at the board meeting in 2005, after several field trips, it became obvious to the department during the 2005 season that the adopted regulation was not clear and possibly unenforceable. Board accepted this ACR for the March 2006 meeting in Anchorage.

ACR NO. 14

ACTION: No action

DESCRIPTION: Provide equal opportunity for all Area L permit holders.

DISCUSSION: The board will address the Chignik Area cooperative salmon fishery management plan in its entirety during a regularly scheduled meeting on November 15-16, 2005.

ACR NO. 15

ACTION: No action

DESCRIPTION: Review location of closed water marker in Packers Creek area.

DISCUSSION: Board took no action based on action taken on ACR 13.

ACR NO. 16

ACTION: Accepted

DESCRIPTION: Eliminate proxy fishing for halibut statewide.

DISCUSSION: The state and federal regulations are consistent. Anglers are at risk of being cited by federal enforcement agents for having halibut in excess of the daily possession limits. The fact that federal regulations did not allow proxy fishing for halibut was overlooked when the board adopted the proxy regulations in 1994. Starting in 2004, federal enforcement agents were made aware of this conflict and began to actively enforce their regulations, even though the anglers had the state proxy forms properly filled out and on their person. Board accepted this ACR for the March 2006 meeting in Anchorage.

ACR NO. 17

ACTION: Failed

DESCRIPTION: Reduce the lower sonar goal level to 600,000 in the Kenai River.

DISCUSSION: The SEG for late-run Kenai River sockeye salmon is 500,000 to 800,000 spawners. The board established an OEG of 500,000 to 1,000,000 for this run. At run strengths less than 2 million, the department is directed to manage for an inriver return goal of 650,000 to 850,000 sockeye salmon past the sonar counter at river mile 19. Prior to the 2005 board meeting, at run strengths less than 2 million, the inriver goal was 600,000 to 850,000 sockeye salmon. This ACR was deemed primarily allocative.

ACR NO. 18

ACTION: Accepted

DESCRIPTION: Implement overage provisions for CDQ crab fisheries similar to non-CDQ fisheries in Bristol Bay.

DISCUSSION: There is no overage provision for CDQ crab fisheries. Overages in the CDQ crab fisheries are rare and have never exceeded 3 percent of the individual CDQ group allocation by species. Board scheduled this ACR for the March 2006 meeting in Anchorage.

ACR NO. 19

ACTION: Failed

DESCRIPTION: Additional fishing periods for Northern District Cook Inlet setnetters.

DISCUSSION: This seeks to add days to the fishery but does not specify how or when that would occur. It can be accomplished either by removing the three period limit and fish Mondays until June 24 or adding fishing time on some other day of the week. This does not meet the criteria for an agenda change request.

ACR NO. 20

ACTION: No action

DESCRIPTION: Change the Central District Drift Gillnet Management Plan to address low escapement on the Yentna River.

DISCUSSION: Board took no action based on action taken on ACR 9.

ACR NO. 21

ACTION: Failed

DESCRIPTION: Allow set netters additional opportunities to fish for Coho in the Northern District of Cook Inlet.

DISCUSSION: The removal of Wednesday fishing periods after August 15 for the Northern District set gillnet fishermen was a result of the introduction of the urban coho stocking program in the Northern Cook Inlet area. The action was taken to decrease the commercial harvest of coho salmon stocked for recreational uses. The board found this ACR does not meet the criteria.

ACR NO. 22

ACTION: Failed

DESCRIPTION: Increase fishing opportunity within the Alitak District Management Plan.

DISCUSSION: Changes were made to the Alitak District salmon management plan during the board's January 2005 meeting. This is predominately allocative in nature and does not meet the ACR criteria.

ACR NO. 23

ACTION: No action

DESCRIPTION: Address low escapement for Yentna and Susitna sockeye.

DISCUSSION: Board took no action based on action taken on ACR 9.

ACR NO. 24

ACTION: Failed

DESCRIPTION: Address the drift gillnets fishing periods in the Central District Management Plan.

DISCUSSION: Board intent is to manage from July fishery into August 10. Restrictions are tied to the run strengths and intended to conserve northern-bound fish. The restricted regular periods are delineated while unrestricted periods are not. The board found this ACR predominately allocative.

ACR NO. 25

ACTION: Failed

DESCRIPTION: Clarify regulation defining "fishing period" in the Upper Cook Inlet.

DISCUSSION: The board was clear in the original intent. This is primarily allocative in nature and there is no new information.

ACR NO. 26

ACTION: Failed

DESCRIPTION: Address deficiencies in the Kasilof River Management Plan.

DISCUSSION: The set gillnet season can open as early as June 20 and for drifting the season can open as early as June 19. The biological escapement goal is 150,000 to 250,000 sockeye salmon and the OEG is 150,000 – 300,000 sockeye salmon. Achieving the lower end of the Kenai River sockeye salmon escapement goal takes priority over not exceeding the upper end of the Kasilof River OEG. It is difficult to achieve escapement goals. It is difficult to achieve the escapement goals during the large runs. This does not meet the criteria for an agenda change request.

ACR NO. 27

ACTION: No action

DESCRIPTION: Require set net fishermen remove their running lines within 500 feet of the beach when not fishing in the Naknek River SHA.

DISCUSSION: Board took no action based on action taken on ACR 36.

ACR NO. 28

ACTION: Failed

DESCRIPTION: Declare Yentna River sockeye a "stock of concern" under Sustainable Salmon Fisheries Policy.

DISCUSSION: The department and board are addressing declining stocks in the Yentna River in the immediate term by placing restrictions on fisheries that harvest this stock; and in the longer term by a suite of research programs intended to: 1) answer key questions regarding the productivity of the stock and 2) conduct genetic studies intended to improve our knowledge of where and how many sockeye from this stock are harvested. Board expressed concern over the low escapements. Stock of concern is a procedural change that the board makes in conjunction with the department, but is not a regulatory change itself.

ACR NO. 29**ACTION: Failed**

DESCRIPTION: Declare Fish Creek sockeye a "stock of concern" under Sustainable Salmon Fisheries Policy.

DISCUSSION: The escapement goal in Fish Creek was 50,000 sockeye from 1982 until 2001. That 50,000 goal did not conform to the escapement goal policy and the department was never able to determine how it was derived. When hatchery stocks were removed and the escapement method for determining escapement goals in Cook Inlet was applied to the resultant data, the sustainable escapement goal range was established from 20,000 to 70,000 sockeye. Using the SEG range of 20,000 – 70,000 (+ 5,000 brood stock), established in 2002, the observed escapements over the past five years were above, below or within the SEG range. Stock of concern is a procedural change that the board makes in conjunction with the department, but is not a regulatory change itself.

ACR NO. 30**ACTION: Failed**

DESCRIPTION: Declare chum salmon in Northern District of Cook Inlet a "stock of concern" under sustainable salmon fisheries policy.

DISCUSSION: For those systems where the department can reliably index chum escapements there is no chronic inability to meet escapement goals and there is no declining trend in any of the monitored systems. Chum salmon harvests in the commercial fishery have declined dramatically since the flood of 1986. Most of this decline is the result of a mixture of management actions for other species and stocks and regulatory changes designed to reduce the chum harvest.

ACR NO. 31**ACTION: Failed**

DESCRIPTION: Change opening of dip net fishery in the Kenai River to occur after 500,000 sockeye has passed the counter.

DISCUSSION: The Kenai River Late-Run Sockeye Salmon Management Plan states that subject to the requirement of achieving the lower end of the optimal escapement goal, the department shall provide for a personal use dip net fishery in the lower Kenai River as specified in regulation. Change is based on escapement and is achieved by emergency order. This was deemed as primarily allocative in nature.

ACR NO. 32**ACTION: Failed**

DESCRIPTION: Address personal use fishery in Upper Cook Inlet to ensure escapement is met.

DISCUSSION: If managed under emergency authority, there is no danger to the fish population. This does not meet the criteria for an agenda change request.

ACR NO. 33**ACTION: Accepted**

DESCRIPTION: Modify the TAC for Eastern Sub district bairdi in the Bering Sea.

DISCUSSION: New regulations implementing IFQ fisheries for several BS/AI crab species (including Tanner crab) should reduce the fleet size and increase the time period when Tanner crab are harvested. Board will address this ACR at the March 2006 meeting in Anchorage.

ACR NO. 34

ACTION: No action

DESCRIPTION: Change minimum late-run sockeye escapement goal to 600,000 on the Kenai River.

DISCUSSION: Board took no action based on action taken on ACR 17.

ACR NO. 35

ACTION: Failed

DESCRIPTION: Allow sockeye management based on Kasilof River rather than Kenai River.

DISCUSSION: Seeks to remove windows of the plan. This does not meet the criteria for an agenda change request.

ACR NO. 36

ACTION: Accepted

DESCRIPTION: Remove set net gear from the water when not fishing to avoid driftnet fishing gear in the Naknek/Kvichak District.

DISCUSSION: Provides for a management tool. Board accepted this ACR for the March 2006 meeting in Anchorage.

ACR NO. 37

ACTION: No action

DESCRIPTION: Remove set net gear from the water when not fishing to avoid driftnet fishing gear in the Naknek River SHA.

DISCUSSION: Board took no action based on action taken on ACR 36.

ACR NO. 38

ACTION: Failed

DESCRIPTION: Reinstate the 8.3 percent allocation of Bristol Bay sockeye in the South Unimak and Shumagin Islands June Salmon Management Plan.

DISCUSSION: This did not meet the criteria and is predominately allocative in nature.

ACR NO. 39

ACTION: Failed

DESCRIPTION: Prevent Northern District intercept so that the Kvichak River will achieve its minimum escapement goal.

DISCUSSION: Given the large number of sockeye salmon stocks potentially present in the Ilnik Section (Nelson, Bear, Sandy, Ilnik, and Meshik Rivers and Bristol Bay Rivers) it is highly unlikely that scale pattern analysis could accurately project the Kvichak River sockeye salmon contribution to the salmon harvest in the Ilnik Section.

ACR NO. 40

ACTION: Failed

DESCRIPTION: Reinstate the sockeye cap, openings and closures in the North Peninsula Management Plan of the Kvichak and Ugashik rivers.

DISCUSSION: Changes were made to the Northern District Salmon Fisheries Management Plan during the February 2004 Alaska Board of Fisheries meeting. This does not meet the criteria and is primarily allocative in nature.

ACR NO. 41

ACTION: Accepted

DESCRIPTION: Allow both drift and set netters to fish the Alagnak River.

DISCUSSION: This ACR is predominately allocative in nature. Board took action at the March 2005 meeting, but this could be used to address the sunset clause. There has been significant over-escapement and this will provide management a tool. Board will put this ACR on the agenda for the March 2006 meeting in Anchorage.

ACR NO. 42

ACTION: No action

DESCRIPTION: Change the provisions in the Alagnak River SHA to match the Naknek River SHA.

DISCUSSION: Board took no action based on action taken on ACR 41.

ACR NO. 43

ACTION: No action

DESCRIPTION: Address the sunset clause in the Alagnak River SHA Management Plan.

DISCUSSION: Board took no action based on action taken on ACR 41.

ACR NO. 44

ACTION: Accepted

DESCRIPTION: Move marker 1000 feet upstream for drift (to avoid barge anchor lines) and leave original line for set net fishing in the Naknek River SHA.

DISCUSSION: When the Naknek River SHA was created and the current boundaries set up, it was not thought the fishery would be used as much as it currently is. There is only one place that a large barge can tie up with out grounding during any portion of the tide. This area is used by the shipping company to tie loaded and soon to be loaded barges from 180 to over 300 feet in length. This area is just inside the downstream boundary line of the Naknek River Special Harvest Area. When a drift gillnet period is open it makes it difficult for the tugs and barges to work in the area. Board will put this ACR on the agenda for the March 2006 meeting in Anchorage.

ACR NO. 45

ACTION: No action

DESCRIPTION: Increase drift gillnet gear from 50 fathoms to 75 fathoms in the Naknek River SHA.

DISCUSSION: Board took no action based on action taken on ACR 3.

INTENT STATEMENT FOR ACRs ACCEPTED RE: BRISTOL BAY FISHERIES

The board accepted three agenda change requests (ACRs) to be considered at the March 2006 meeting in Anchorage. In order to focus the deliberations on the purpose for which the board accepted the ACRs, the board stated that only the following issues will be considered:

For the Naknek River Special Harvest Area:

- 1) Increasing gear length for the drift gillnet fishery from 50 fathoms to 75 fathoms.
- 2) Whether to move the downstream boundary marker for the drift gillnet users upriver 1,000 feet (above the Northland barge).
- 3) Consider requiring all set gillnet gear to be removed from the water when the allocation for the drift gillnet users is more than 0.5 percent behind their allocation of 84 percent.

For the Alagnak River Special Harvest Area:

- 1) Remove the sunset clause in 5 AAC 06.373, Alagnak River Sockeye Salmon Special Harvest Area Management Plan.
- 2) Consider the addition of drift gillnet as a legal gear.
- 3) Create an allocation plan similar to the allocation plan in the Naknek River Special Harvest Area.

OFFICER ELECTION: Art Nelson was elected Chair and Mel Morris was elected Vice Chair.

COMMITTEE and TASK FORCE REPORTS

PWS Allocation Committee

This committee met October 12, 2005. Morris, Bouse and Heyano serve as members. The committee found consensus on value-based allocation in PWS for gear groups. In the past, allocation percentages were calculated with a piggy bank for the following year if there was disparity. Gear types were assigned to certain areas to enhance allocation number. Now a five-year rolling average is recommended, with annual corrections. In addition, value-added will be encouraged, not penalized. Redefine Ester subdistrict to minimize intercept of hatchery chums during cost-recovery or to correct for disparity on allocation. ADF&G and PWSAC will work together on this. A strawman

proposal of the allocation plan that incorporates only enhanced stocks was discussed in the committee. This will be available for public review prior to the board meeting in December and public comment is encouraged.

GOA Ground fish Rationalization Committee Report

No meetings. Legislation (SB 113) passed through Senate and is in House Fisheries Committee for next session.

Interim Joint Protocol Committee Report

Members Nelson, Dersham, and Morris met with council members Madsen, Bensen, and NMFS staff Salveson. Discussed state waters trawl (proposal 455, tabled from March 2005). Intent is to identify ways for state management that will not trigger the federal reconsultation under the ESA. A more thorough oral report will be made at the October 15-16 meeting on this proposal.

Southeast District 8 King Salmon

Board created a workgroup for the Stikine River area. The purpose of the group is to develop an abundance-based management plan to guide management of commercial and sport fisheries that target Stikine River chinook salmon in District 8. Board member Jensen will work with this group; recommendations will be provided at the January 2006 board meeting.

Southeast District 11 King Salmon

Board created a workgroup for chinook salmon Taku River area. The purpose of the group is to develop an abundance-based management plan to guide management of commercial and sport fisheries that target Taku River chinook salmon in District 11. Board requested the Juneau-Douglas Advisory Committee to take a leading role in this workgroup, including submitting names for membership, with parity among user groups. Board members Andrews will work with this group; recommendations will be provided at the January 2006 board meeting.

Salmon Industry Restructuring Panel

Recommendations were given on how the board process for consideration of salmon restructuring proposals can be structured. The panel will meet again October 17 in Anchorage. Committee is finalizing the report to the board. Board will use this report in the final recommendations to the legislature, due in January/February, 2006.

EMERGENCY PETITION

Yentna River closure

ACTION: Failed

DISCUSSION: Board found that this petition based does not meet the criteria for an emergency petition. Board referenced its discussion under the ACR discussion earlier in the meeting.

STOCKS OF CONCERN

Southeast/Yakutat

The department identified no stocks of concern that meet the criteria during its review of stock status and escapement goals in the Southeast Alaska/Yakutat area.

Copper River/Prince William Sound

The department identified no stocks of concern that meet the criteria during its review of stock status and escapement goals in the Copper River/Prince William Sound area.

OTHER SCHEUDLING REQUESTS

Subsistence Halibut Appeal

A request to be included on the list of eligible communities to participate in the subsistence take of halibut was submitted by Halibut Cove. According to the board's protocol with the North Pacific Fishery Management Council, the board will review information provided by the department, and receive comment prior to making its recommendation to the council for final determination. The board scheduled this issue for the March 2006 meeting.

Time Limit for Oral Public Testimony: Five minutes for public, still 15 for AC's.

Format of November 2005 Chignik Coop Meeting: Board will use a committee of the whole for this meeting.

Fairbanks Hearing re: PWS/Copper River meeting: Members Bouse, Campbell, and Jensen will tentatively meet the evening of November 29 in Fairbanks to allow an opportunity for local participation in testimony. Announcements will be made in the community and on the board's website when the hearing location and date is finalized.

2006/2007 Meeting Schedule

Board selects Option B as their tentative meeting schedule with modification of AYK meeting in January and AK Peninsula in February. The order of board meetings has been developed to accommodate timing of the fisheries, and staff's ability to gather the best available scientific data for board review. Board took into consideration a scheduling request for the AK Peninsula/Aleutian Island meeting to be held in November/December instead of February/March next cycle, but found that addressing AK Peninsula/Aleutian Island area was better chronologically to remain in February.

CFEC Update

The commissioner of CFEC provided an update of optimum Bristol Bay fishery permit numbers. Options include: 1) authorize two permit holders to operate from one vessel; 2) pending legislation (HB 251) allows the board to allow a second permit holder to fish, subject to restrictions determined by board; 3) implement a buy-back program (funding would be necessary via a public process).

Delegation of Authority to reorganize the format of the Sport Fish regulation chapters 56 (Kenai Peninsula area) and 61 (Susitna – West Cook Inlet area) of Title 5 of the Alaska Administrative Code was approved by the board. No substantive changes are intended; this is a housekeeping matter for a more readable format.