

**ALASKA BOARD OF FISHERIES**  
**March 20-23, 2012**  
**STATEWIDE DUNGENESS CRAB, SHRIMP & MISCELLANEOUS SHELLFISH**

**PROPOSAL INDEX**

*Following is a list of proposals that will be considered at the above meeting sorted by general topic. A board committee roadmap will be developed and distributed prior to the meeting.*

**PROP  
NO. (35)**                      **SUBJECT**

**Westward Dungeness Crab (2)**

- 345              Close Dungeness crab season December 31, rather than January 1, and update regulatory coordinates in fishing season regulation.
- 346              Amend regulatory description of registration area and districts.

**Kodiak Dungeness Crab (3)**

- 347              Change fishing season to June 15 through December 31.
- 348              Implement 1,000 pot limit per vessel.
- 349              Designate Kodiak District a superexclusive registration district.

**Statewide Scallop (1)**

- 350              Allow scallop harvest from multiple registration areas when an observer is aboard.

**Prince William Sound Scallop (1)**

- 351              Establish new management district subsections for scallop in PWS.

**Westward Scallop (3)**

- 352              Open specified waters currently closed in Registration Area M to scallop fishing.
- 353              Open specified waters currently closed in Registration Area M to scallop fishing.
- 354              Amend regulatory description for Registration Area J in description of the area, fishing seasons and closed waters.

**Westward Octopus (1)**

- 355              Establish octopus management plan for Registration Area J.

**Westward Shrimp (2)**

- 356              Align pot shrimp season with guideline harvest range.
- 357              Amend regulatory description of Registration Area J, districts, and sections.

**Prince William Sound Shrimp (10)**

- 358              Close the commercial shrimp pot fishery in PWS.
- 359              Close the commercial shrimp pot fishery in PWS.
- 360              Close the commercial shrimp pot fishery in PWS.
- 361              Close the commercial shrimp pot fishery in PWS.
- 362              Amend regulatory fishing hours for commercial pot shrimp.

- 363 Open Nellie Juan Fjord area to commercial shrimping.
- 364 Amend gear marking requirements for commercial shrimp pot gear.
- 365 Restrict operation of sport, personal use, and subsistence shrimp pot gear by persons or vessels participating in the commercial shrimp pot fishery.
- 366 Amend shrimp pot fishery registration from superexclusive to exclusive.
- 367 Include references to the noncommercial shrimp fishery management plan in subsistence and personal use regulations.

**Prince William Sound Miscellaneous shellfish (except scallop) (3)**

- 368 Allow retention of octopus only as bycatch to other directed groundfish and shellfish fisheries.
- 369 Repeal the reference to razor clam guideline harvest levels.
- 370 Require a commissioner's permit for the commercial harvest of clams.

**Cook Inlet Miscellaneous (3)**

- 371 Extend the eastern boundary for the North Gulf Coast personal use shrimp fishery to Cape Fairfield.
- 372 Reduce the bag limit for hardshell clams in Cook Inlet to 80 clams of any species.
- 373 Re-establish Tyonek subsistence clam harvest area.

**Statewide Shellfish (6)**

- 374 Clarify restriction on use of sport, personal, or subsistence-caught shellfish by owner, operator, or employee of a lodge, charter vessel, or other enterprise that furnishes food, lodging, or sport fishing guide services.
- 375 Require that commercial shellfish pots constructed of rigid mesh have a biodegradable escape mechanism identical to that required for subsistence, personal use, and sport shellfish pots.
- 376 Clarify regulations regarding use of hook and line when taking octopus.
- 377 Establish a sustainable Dungeness crab policy.
- 378 Establish a sustainable all-species shrimp policy.
- 379 Establish a sustainable miscellaneous shellfish policy.

**ALASKA BOARD OF FISHERIES**  
**March 20-23, 2012**  
**STATEWIDE DUNGENESS CRAB, SHRIMP AND MISCELLANEOUS SHELLFISH**

**PROPOSAL 345 - 5 AAC 32.410. Fishing Seasons for Registration Area J.** Close Dungeness crab season December 31, rather than January 1, and update regulatory coordinates in fishing season regulation as follows:

(a) In the Kodiak, Chignik, Alaska Peninsula, and Aleutian Districts, male Dungeness crab may be taken or possessed from 12:00 noon May 1 until **11:59 pm December 31** [12:00 NOON JANUARY 1], except in **waters of the Kodiak District south of the latitude of Boot Point (56° 49.98' N. lat.) and east of longitude of Boot Point at 153° 46.10 W. long. and waters south of the latitude of Cape Ikolik at 57° 17.40' N. lat. and west of the longitude of Boot Point at 153° 46.10 W. long.** [SOUTH OF THE LATITUDE OF THE SOUTHERNMOST TIP OF BOOT POINT AND SOUTH OF THE LATITUDE OF SOUTHERNMOST TIP OF CAPE IKOLIK], male Dungeness crab may be taken or possessed only from 12:00 noon June 15 until **11:59 pm December 31.** [12:00 NOON JANUARY 1].

**ISSUE:** The season closure date for Dungeness crab is not in agreement with calendar year Commercial Fisheries Entry Commission landing permits and Alaska Department of Fish and Game catch reporting practices. Additionally, as commercial shellfish regulations develop over time, demarcation lines within and between management areas sometimes change independent of each other. The intent of this proposal is to standardize demarcation lines across commercial fisheries as well as update specific demarcation coordinates to reflect the best precision afforded by current technology.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued confusion regarding commercial Dungeness crab catch reporting and landing requirements as well as ambiguous demarcation lines.

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

**WHO IS LIKELY TO BENEFIT?** Commercial fishermen, fishery managers, and law enforcement.

**WHO IS LIKELY TO SUFFER?** Commercial fishermen that harvest Dungeness crab between 12:01 a.m. and 12:00 p.m. (noon) on January 1.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F11-303)  
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**PROPOSAL 346 - 5 AAC 32.400. Description of Registration Area J; and 5 AAC 32.405. Description of Registration Area J Districts.** Amend regulatory description of registration area and districts as follows:

**5 AAC 32.400. Description of Registration Area J.** Registration Area J consists of the Pacific Ocean waters that are south of the latitude of Cape Douglas (58° 51.10' N. lat.) and west of **149° W. long.** [THE LONGITUDE OF CAPE FAIRFIELD (148° 50.25' W. LONG.),] and the Bering Sea and Pacific Ocean waters that are east of the Maritime Boundary Agreement Line as that line is described in the text of and depicted in the annex to the Maritime Boundary Agreement between the United States and Union of Soviet Socialist Republics signed in Washington, June 1, 1990, and as that Maritime Boundary Agreement Line is depicted on *NOAA Chart #513* (6th Edition, February 23, 1991) and *NOAA Chart #514* (6th Edition, February 16, 1991). These charts are adopted by reference.

**5 AAC 32.405. Description of Registration Area J Districts.**(a) Kodiak District: waters of Registration Area J that are south of the latitude of Cape Douglas (**58° 51.10' N. lat.**) [(58° 51.85' N. LAT.)], **west of 149° W. long.** [THE LONGITUDE OF CAPE FAIRFIELD (148° 50.25' W. LONG.),] and east of **a line extending south from the Alaska Peninsula (near Kilokak Rocks) along 156° 20.22' W. long.** [THE LONGITUDE OF KILOKAK ROCKS (156° 19' W. LONG.)];

**(b)** [(e)] Chignik District: waters of Registration Area J that are west of **a line extending south from the Alaska Peninsula (near Kilokak Rocks) along 156° 20.22' W. long.** [THE LONGITUDE OF KILOKAK ROCKS (156° 19' W. LONG.)], and east of a line extending 135° southeast from Kupreanof Point (55° 33.98' N. lat, 159° 35.88' W. long.).

**(c)** [(b)] Alaska Peninsula District: waters of Registration Area J that are west of a line extending 135° southeast from Kupreanof Point (55° 33.98' N. lat, 159° 35.88' W. long.), and east of the longitude of Scotch Cap Light (**164° 44.72' W. long.**) [(164° 44' W. LONG.)] and south of **54° 51.30' N. lat.** [54° 51.50' N. LAT.,] in Isanotski Strait.

**(d)** [(c)] North Peninsula District: Bering Sea waters of Registration Area J that are north of the latitude of Cape Sarichef **Light (54° 35.89' N. lat.)** [(54° 36' N. LAT.)] and north of **54° 51.30' N. lat.** [54° 51.50' N. LAT.,] in Isanotski Strait.

**(e)** [(d)] Aleutian District: waters of Registration Area J that are west of the longitude of Scotch Cap Light (**164° 44.72' W. long.**) [(164° 44' W. LONG.)] and south of the latitude of Cape Sarichef **Light (54° 35.89' N. lat.)** [(54° 36' N' LAT.).]

**ISSUE:** As commercial shellfish regulations develop over time, demarcation lines within and between management areas sometimes change independently of each other. The intent of this proposal is to standardize demarcation lines across commercial fisheries as well as update specific demarcation coordinates to reflect the best precision afforded by current technology.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued use of ambiguous demarcation lines.

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

**WHO IS LIKELY TO BENEFIT?** Commercial fishermen, fishery managers, and law enforcement.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F11-302)  
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**PROPOSAL 347 - 5 AAC 32.410. Fishing seasons for Registrations Area J.** Change fishing season to June 15 through December 31 as follows:

Change Dungeness crab season opening date to June 15 through December 31 for the entire Kodiak District.

**ISSUE:** Too many soft Dungeness crab harvested during the Kodiak District Commercial Dungeness Crab Fishery. During some years, crab have not fully hardened before the Kodiak Dungeness fishery opens in May and early June. Given the recent increases in the number of boats participating in the fishery, more boats are fishing earlier in the season resulting in larger harvests of soft crab.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued catch, handling, and mortality of soft crab.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. Soft crab are less marketable and worth less money. A later season opening date will reduce the amount of soft crab delivered to processors resulting in better prices for all Kodiak Dungeness fishermen. Also, the dead loss and handling mortality of soft crab is also much higher compared to hard crab resulting in less crab for fishermen to catch in the future.

**WHO IS LIKELY TO BENEFIT?** Everyone.

**WHO IS LIKELY TO SUFFER?** Boats that fish early in the season.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Mike Clark (HQ-F11-004)  
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**PROPOSAL 348 - 5 AAC 32.425. Lawful gear for Registration Area J.** Implement 1,000 pot limit per vessel as follows:

Limit the maximum amount of gear a vessel may use to 1000 pots.

**ISSUE:** Overcapitalization of the Kodiak District Dungeness Crab Fishery. Kodiak is an open access fishery for Dungeness crab. Without gear limits, more and more large transient boats are entering the fishery which has significantly increased the amount of gear used in the fishery. The fishery is becoming less and less viable for the long-term participants.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued overcapitalization and competition for Dungeness crab.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, with no pot limits there is a higher probability of lost gear resulting in ghost fishing.

**WHO IS LIKELY TO BENEFIT?** Everyone.

**WHO IS LIKELY TO SUFFER?** Vessels that use more than 1,000 pots.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Mike Clark (HQ-10F-005)  
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**PROPOSAL 349 - 5 AAC 32.406. Area J Registration.** Designate Kodiak District a superexclusive registration district as follows:

Make Kodiak a superexclusive registration district for Dungeness crab.

**ISSUE:** Overcapitalization of the Kodiak Dungeness crab fishery. Kodiak District is a nonexclusive registration district for Dungeness crab. Large transient boats can come to Kodiak fish a large amount of gear for short period of time then move to another district and do the same thing. The fishery is becoming less and less viable for the long-time participants.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued overcapitalization and competition for Dungeness crab.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. Long-time participants are invested in the fishery and interested in protecting the resource and increasing the quality and value of the fishery.

**WHO IS LIKELY TO BENEFIT?** Long-time participants in the Kodiak Dungeness crab fishery.

**WHO IS LIKELY TO SUFFER?** Vessels that try and fish in several districts in the same year.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Mike Clark (HQ-F11-006)

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**PROPOSAL 350 - 5 AAC 38.076. Alaska Scallop Fishery Management Plan.** Allow scallop harvest from multiple registration areas when an observer is aboard as follows:

5 AAC 38.076. (d)

A vessel may be registered to take scallops in only one scallop registration area at a time, **unless a vessel carries an onboard observer. A vessel with an onboard observer may take scallops from more than one scallop registration area at a time.**

**ISSUE:** Current regulations read "A vessel may be registered to take scallops in only one scallop registration area at a time." This can force vessels to run great distances to reregister costing lost fishing time and unnecessary fuel costs. Current regulations require scallop vessels to carry onboard observers that can report catch and location information daily to the department. With this type of required onboard observer reporting capability, this is an unnecessary regulation at great cost to the fishermen.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Vessels will continue to run great distances out of their way for needless registrations, costing industry lost fishing time and extra fuel expense.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** This will reduce the carbon footprint of the scallop fishery, enhancing it's appeal in the market.

**WHO IS LIKELY TO BENEFIT?** Fishermen will benefit with reduced fuel expenses and less lost fishing time.

**WHO IS LIKELY TO SUFFER?** Fishermen will suffer with larger fuel expenses and lost fishing time.

**OTHER SOLUTIONS CONSIDERED?** A faxed copy of the registration onboard could be accepted by enforcement.

This would not normally work as the scallop vessels normally fish in very remote locations and do not have onboard fax machines. Current at sea technology only allows us communication via Satellite phone and "text only" emails, no faxing capabilities, at least not at a cost scallop vessels can afford.

**PROPOSED BY:** Alaska Scallop Association (HQ-F11-019)

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**PROPOSAL 351 - 5 AAC 38.205. Description of Registration Area E Districts and sections.** Establish new management district subsections for scallops in PWS as follows:

- (1) Eastern Section: all waters of the Outside District east of 147° W.long.;

**(A) East Kayak subsection: waters between 144→ 00→ W long. and the longitude of the Cape Saint Elias lighthouse 144→ 35.09→ W long., and south of Kayak Island.**

**(B) West Kayak subsection: waters between 146→ 00→ W long. and the longitude of the Cape Saint Elias lighthouse 144→ 35.09→ W long., and north of Kayak Island.**

**ISSUE:** The scallop fishery in Registration Area E occurs in the Eastern Section of the Outside District and is managed for separate guideline harvest levels east and west of the longitude of Cape Saint Elias (144→ 35.9→ W long.) on Kayak Island. Fishery management has referenced these geographic areas since the mid-1990s. This proposal will establish scallop management subsections to facilitate reference to these areas.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Written reference to these areas will continue to be more complex than necessary.

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

**WHO IS LIKELY TO BENEFIT?** Both fishery managers and participants will benefit from a simple regulatory reference.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F11-291)  
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**PROPOSAL 352 - 5 AAC 38.425. Closed waters for scallops in Registration Area J.** Open specified waters currently closed in Registration Area M to scallop fishing as follows:

5AAC 38.425. (6) the Pacific Ocean waters of the Alaska Peninsula Area between the longitude of Scotch Cap and the longitude of Cape Pankof, [AND WATERS OF KING CRAB REGISTRATION AREA M EXTENDING SHOREWARD AND THREE MILES SEAWARD OF A LINE (THE BASE LINE) BEGINNING AT THE SOUTHERNMOST TIP OF CAPE KUMLIK TO THE EASTERNMOST TIP OF UNAVIKSHAK ISLAND TO THE SOUTHERNMOST TIP OF ATKULIK ISLAND TO THE EASTERNMOST TIP OF KAK ISLAND TO THE EASTERNMOST TIP OF CASTLE CAP (TULIUMNIT POINT) TO THE EASTERNMOST TIP OF CHANKLIUT ISLAND AND FROM THERE ALONG THE SEAWARD COAST TO THE SOUTHERNMOST TIP OF CHANKLIUT ISLAND TO THE SOUTHERNMOST TIP OF SEAL CAPE TO THE EASTERNMOST TIP OF MITROFANIA ISLAND TO THE SOUTHERNMOST TIP OF SPITZ ISLAND TO THE SOUTHERNMOST TIP OF CHIACHI ISLAND, AND TO THE SOUTHERNMOST TIP OF KUPREANOF POINT, AND ALL WATERS WEST OF THE SOUTHERNMOST TIP OF KUPREANOF POINT WHICH ARE DEPICTED AS TERRITORIAL SEA ON NOAA CHART #16540, (11 EDITION,



MARCH 4, 1989) TITLED, “SHUMAGIN ISLAND TO SANAK ISLAND,]” and all waters east of the longitude of Scotch Cap Light and south of Unimak Island and the Alaska Peninsula which are depicted as Territorial Sea on NOAA Chart #16520, (21 Edition, April 15, 1989) titled, “Unimak and Akutan passes and approaches”;

**ISSUE:** The waters around Mitrofanina Island have been closed to scallop fishing since the mid 80’s, to protect Tanner crabs. Since 1993 scallop vessels are required to carry onboard observers. Onboard observers give ADFG the ability to instantly stop scallop fishing if crab bycatch is determined to be too high. The proposer would like to only open the Federal waters (outside 3 miles) south of Mitrofanina Island and leave the waters within 3 miles closed to scallop fishing.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** A known harvestable surplus of scallop in this area will continue to not be prosecuted, without utilizing the high expense and proven statewide success of the Scallop onboard observer program.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Alaska weathervane scallops from this region are of high quality and are heavily sought after by high end seafood markets.

**WHO IS LIKELY TO BENEFIT?** Scallop fishermen will benefit as well as the Alaska Weathervane Scallop purchasing public. Scallop fishermen will see a reward for their years of good stewardship statewide and the high cost of carrying required onboard observers.

**WHO IS LIKELY TO SUFFER?** No one will suffer. Crab fishermen’s interests can be protected by bycatch limits and onboard observers working in cooperation with scallop captains and ADFG managers, as the scallop fishermen have done successfully in other regions of the state. Other non-observer fisheries with un-quantified by-catch are allowed to fish this area, why not responsible scallop fishermen with responsible onboard observers?

**OTHER SOLUTIONS CONSIDERED?** We considered asking that the scallop beds within 3 miles be reopened, but did not believe this would be an acceptable solution by other interests. We considered asking only for the scallop beds outside 3 miles to be a much less contentious request. We could not find any other solutions that would allow for a safe, sustainable and low impact scallop fishery in this area.

**PROPOSED BY:** Alaska Scallop Association (HQ-F11-115)  
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**PROPOSAL 353 - 5 AAC 38.425. Closed waters for scallops in Registration Area J.** Open specified waters currently closed in Registration Area M to scallop fishing as follows:

5AAC 38.425. (6) [THE PACIFIC OCEAN WATERS OF THE ALASKA PENINSULA AREA BETWEEN THE LONGITUDE OF SCOTCH CAP AND THE LONGITUDE OF CAPE PANKOF, AND WATERS OF KING CRAB REGISTRATION AREA M EXTENDING SHOREWARD AND THREE MILES SEAWARD OF A LINE (THE BASE LINE)] beginning at the southernmost tip of cape Kumlik to the easternmost tip of Unavikshak Island to the

southernmost tip of Atkulik Island to the easternmost tip of Kak Island to the easternmost tip of castle cap (Tuliumnit Point) to the easternmost tip of Chankliut Island and from there along the seaward coast to the southernmost tip of Chankliut Island to the southernmost tip of seal cape to the easternmost tip of Mitrofanina Island to the southernmost tip of Spitz Island to the southernmost tip of Chiachi Island, and to the southernmost tip of Kupreanof point, and all waters west of the southernmost tip of Kupreanof point which are depicted as territorial sea on NOAA chart #16540, (11 edition, march 4, 1989) titled, "Shumagin Island to Sanak Island," [AND ALL WATERS EAST OF THE LONGITUDE OF SCOTCH CAP LIGHT AND SOUTH OF UNIMAK ISLAND AND THE ALASKA PENINSULA WHICH ARE DEPICTED AS TERRITORIAL SEA ON NOAA CHART #16520, (21 EDITION, APRIL 15, 1989) TITLED, "UNIMAK AND AKUTAN PASSES AND APPROACHES"];.

**ISSUE:** The waters south of Unimak Bight have been closed to scallop fishing since the early 70's, to protect king crab and to eliminate gear conflicts with crab pots. Since 1993 scallop vessels are required to carry onboard observers. Onboard observers give ADFG the ability to instantly stop scallop fishing if crab bycatch is determined to be too high. The proposer would like to only open the Federal waters (outside 3 miles) south of Unimak Bight and leave the waters within 3 miles closed to scallop fishing.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** A known harvestable surplus of scallop in this area will continue to not be prosecuted, without utilizing the high expense and proven statewide success of the Scallop onboard observer program.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Alaska Weathervane Scallops from this region are of high quality and are heavily sought after by high end seafood markets.

**WHO IS LIKELY TO BENEFIT?** Scallop fishermen will benefit as well as the Alaska Weathervane Scallop purchasing public. Scallop fishermen will see a reward for their years of good stewardship statewide and the high cost of carrying required onboard observers.

**WHO IS LIKELY TO SUFFER?** No one will suffer. Crab fishermen's interests can be protected using bycatch limits and onboard observers working in cooperation with scallop captains and ADFG managers, as the scallop fishermen have done successfully in other regions of the state. Other non-observer fisheries with un-quantified by-catch are allowed to fish this area, why not responsible scallop fishermen with responsible onboard observers?

**OTHER SOLUTIONS CONSIDERED?** We could not find any other solutions that would allow for a safe, sustainable and low impact scallop fishery in this area.

**PROPOSED BY:** Alaska Scallop Association (HQ-F11-116)  
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**PROPOSAL 354 - 5 AAC 38.400. Description of Registration Area J; and 5 AAC 38.420. Fishing Seasons for Scallops in Registration Area J; and 5 AAC 38.425. Closed Waters for**

**Scallops in Registration Area J.** Amend regulatory description for Registration Area J in description of the area, fishing seasons and closed waters as follows:

**5 AAC 38.400. Description of Registration Area J.** Registration Area J consists of all Pacific Ocean waters that are south of the latitude of Cape Douglas (58° 51.10' N. lat.) and west of **149° W. long.** [THE LONGITUDE OF CAPE FAIRFIELD (148° 50.25' W. LONG.)], and the Bering Sea and Pacific Ocean waters that are east of the Maritime Boundary Agreement Line as that line is described in the text of and depicted in the annex to the Maritime Boundary Agreement between the United States and Union of Soviet Socialist Republics signed in Washington, June 1, 1990, and as that Maritime Boundary Agreement Line is depicted on *NOAA Chart #513* (6th Edition, February 23, 1991), and *NOAA Chart #514* (6th Edition, February 16, 1991), adopted by reference.

**5 AAC 38.420. Fishing Seasons for Scallops in Registration Area J.**

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(b) In Scallop Registration Area (K), in those waters of the Southwest District described in 5 AAC 34.405(c) that are south of a line from [THE WESTERNMOST TIP OF] Cape Ikolik **at 57° 17.40' N. lat., 154° 47.40' W. long.** to the **Alaska Peninsula (near Kilokak Rocks) at 57° 10.34' N. lat., 156° 20.22' W. long.** [SOUTHERNMOST TIP OF CAPE KILOKAK], and west of 155° **00.00'** W. long., and north of 56° 07.**00'** N. lat. and east of 156° 20.22' W. long., a person may take weathervane scallops only under the authority of a permit issued by the commissioner under 5 AAC 38.076(e).

**5 AAC 38.425. Closed Waters for Scallops in Registration Area J.** Scallops may not be taken in

(1) **all waters of Registration Area J south of 57° 17.40' N. lat (the latitude of Cape Ikolik), east of a line extending south from the Alaska Peninsula (near Kilokak Rocks) along 156° 20.22' W. long., west of a line across Sitkalidak Strait at 153° 16.00' W. long, and west of a line extending south from Cape Barnabas along 152° 52.20' W. long.** [WATERS SOUTH OF THE LATITUDE OF CAPE IKOLIK (57° 17.33' N. LAT.), WEST OF THE LONGITUDE OF CAPE BARNABAS (152° 52' W. LONG.), EAST OF THE LONGITUDE OF KILOKAK ROCKS (156° 19' W. LONG.), AND IN OLD HARBOR NARROWS WEST OF 153° 16' W. LONG.], except that weathervane scallops may be taken in the waters specified in 5 AAC 38.420(b);]

(2) **all waters of Alaska on the southeast side of Kodiak Island that are east of a line across Sitkalidak Narrows along 153° 16.00' W. long., east of a line extending south from Cape Barnabas along 152° 52.20 W. long., west of a line from Narrow Cape at 57° 25.95' N. lat., 152° 19.13' W. long. to the northernmost tip of Ugak Island at 57° 23.63' N. lat., 152° 17.47' W. long., and west of a line extending south from the southernmost tip of Ugak Island along 152° 18.76' W. long.** [ALL WATERS OF SITKALIDAK STRAIT, KILIUDA BAY, AND UGAK BAY EAST OF 153° 16' W. LONG. IN SITKALIDAK PASSAGE AND ENCLOSED BY A LINE FROM BLACK POINT AT 56° 59.50' N. LAT., 153° 18' W. LONG. TO 56° 57.50' N. LAT., 153 13' W. LONG., THEN A LINE ALONG THE THREE MILE CONTOUR TO 57° 20' N. LAT., 152° 23' W. LONG., THEN A STRAIGHT LINE TO THE SOUTHERNMOST TIP OF UGAK ISLAND AT 57° 22' N. LAT., 152° 18.50' W. LONG., AND WEST OF A LINE FROM THE NORTHERNMOST TIP OF UGAK

ISLAND AT 57° 23.50' N. LAT., 152° 17' W. LONG. TO NARROW CAPE AT 57° 26' N. LAT., 152° 19' W. LONG.];

(3) all waters enclosed by a line from Cape Chiniak **at 57° 37.20' N. lat., 152° 09.37' W. long. to Marmot Cape at 58° 10.00' N. lat., 151° 52.00' W. long., to Pillar Cape at 58° 08.90' N. lat., 152° 06.77' W. long., and by a line from Inner Point to Afognak Point along 152° 47.75' W. long.** [(57° 38' N. LAT., 152° 09' W. LONG.), TO 57° 38' N. LAT., 151° 47' W. LONG., THEN TO CAPE ST. HERMOGENES (58° 15' N. LAT., 151° 47' W. LONG.) AND FROM MARMOT CAPE (58° 10' N. LAT., 151° 52' W. LONG.) ON MARMOT ISLAND TO PILLAR CAPE ON AFOGNAK ISLAND AT 58° 09' N. LAT., 152° 07' W. LONG.];

(4) all waters of Uyak Bay, Uganik Bay, Viekoda Bay, Kupreanof Strait, Raspberry Strait, Malina Bay, Paramanof Bay, Foul Bay, and Shuyak Strait **enclosed by** [EAST OF] a line from Cape Uyak **at 57° 38.33' N. lat., 154° 20.83' W. long., to Cape Ugat at 57° 52.33' N. lat., 153° 50.67' W. long., to Raspberry Cape at 58° 03.58' N. lat., 153° 25.25' W. long., to Black Cape at 58° 24.50' N. lat., 152° 53.30' W. long., to Eagle Cape at 58° 32.57' N. lat., 152° 40.07' W. long., by a line across Cape Current Narrows along 152° 30.00' W. long., and by a line between Inner Point and Afognak Point along 152° 47.75' W. long.** [(57° 38.33' N. LAT., 154° 20.83' W. LONG.), TO CAPE UGAT (57° 52.33' N. LAT., 153° 50.67' W. LONG.) TO RASPBERRY CAPE (58° 03.58' N. LAT., 153° 25' W. LONG.) TO BLACK CAPE (58° 24.50' N. LAT., 152° 53' W. LONG.) TO PARTY CAPE ON SHUYAK ISLAND (58° 37.17' N. LAT., 152° 34' W. LONG.) WEST OF 152° 30' W. LONG. IN SHUYAK STRAIT AND WEST OF 152° 50' IN WHALE PASS AND AFOGNAK STRAIT];

(5) all waters of Alaska on the south side of the Alaska Peninsula west of **a line extending south from the Alaska Peninsula (near Kilokak Rocks) along 156° 20.22' W. long., and east of a line extending south from Scotch Cap Light along 164° 44.72' W. long.** [KILOKAK ROCKS AT 156° 19' W. LONG., AND EAST OF CAPE KUMLIK AT 157° 27' W. LONG.];

(6) **all waters on the south side of the Alaska Peninsula that are west of a line extending south from Seal Cape along 158° 26.00' W. long., east of a line extending south from Three Star Point along 159° 10.48' W. long., and north of 55° 33.98' N. lat., and all waters of Alaska on the south side of the Alaska Peninsula that are west of a line extending south from Cape Pankof along 163° 03.70' W. long. and east of a line extending south from Scotch Cap Light along 164° 44.72' W. long.** [THE PACIFIC OCEAN WATERS OF THE ALASKA PENINSULA AREA BETWEEN THE LONGITUDE OF SCOTCH CAP AND THE LONGITUDE TO CAPE PANKOF, AND WATERS OF KING CRAB REGISTRATION AREA M EXTENDING SHOREWARD AND THREE MILES SEAWARD OF A BASELINE BEGINNING AT THE SOUTHERNMOST TIP OF CAPE KUMLIK TO THE EASTERNMOST TIP OF UNAVIKSHAK ISLAND TO THE SOUTHERNMOST TIP OF ATKULIK ISLAND TO THE EASTERNMOST TIP OF KAK ISLAND TO THE EASTERNMOST TIP OF CASTLE CAPE (TULIUMNIT POINT) TO THE EASTERNMOST TIP OF CHANKLIUT ISLAND AND FROM THERE ALONG THE SEAWARD COAST TO THE SOUTHERNMOST TIP OF CHANKLIUT ISLAND TO THE SOUTHERNMOST TIP OF SEAL CAPE, AND ALL WATERS ENCLOSED BY A LINE EXTENDING SOUTH FROM SEAL CAPE (158° 25' W. LONG.) TO THE LATITUDE OF KUPREANOF POINT (55° 34.50' N. LAT.), WESTWARD TO THE LONGITUDE OF THREE STAR POINT (159° 10' W. LONG.) AND NORTHWARD TO THREE STAR POINT AND WATERS EXTENDING

SHOREWARD AND THREE MILES SEAWARD OF A THE LINE FROM THREE STAR POINT AT XY TO KUPREANOF POINT AT 55° 33.98' N. LAT., 159° 35.88' W. LONG., AND ALL PACIFIC OCEAN WATERS WEST OF 159° 35.88' W. LONG. THE SOUTHERNMOST TIP OF KUPREANOF POINT] WHICH ARE DEPICTED AS TERRITORIAL SEA ON NOAA CHART #16540, (11<sup>TH</sup> EDITION, MARCH 4, 1989), TITLED, "SHUMAGIN ISLAND TO SANAK LIGHT, AND EAST OF THE LONGITUDE OF SCOTCH CAP LIGHT AND SOUTH OF UNIMAK ISLAND AND THE ALASKA PENINSULA WHICH ARE DEPICTED AS TERRITORIAL SEA ON NOAA CHART #16520, (21<sup>ST</sup> EDITION, APRIL 15, 1989) TITLED, "UNIMAK AND AKUTAN PASSES AND APPROACHES";

(7) all waters of Akun Bay enclosed by a line from Billings Head at 54° 17.50' N. lat., 165° 28.50' W. long., to the opposite shore at 54° 12.70' N. lat., 165° 24.60' W. long. [(54° 17.50' N. lat., 165° 28.50' W. long.), to 54° 13' N. lat., 165° 24.50' W. long. on the opposite shore];

(8) all waters of Akutan Bay enclosed by a line from North Head at 54° 13.54' N. lat., 165° 56.20' W. long., to Akun Head at 54° 17.64' N. lat., 165° 38.24' W. long., and by a line from Akun Island at 54° 08.40' N. lat., 165° 38.29' W. long., to Akutan Island at 54° 07.69' N. lat., 165° 39.74' W. long. [SOUTH OF A LINE FROM AKUN HEAD (54° 18' N. LAT., 165° 38' W. LONG.) TO NORTH HEAD (54° 14' N. LAT., 165° 56' W. LONG.)];

(9) all waters of Beaver Inlet enclosed by a line from Brundage Head at 53° 55.90' N. lat., 166° 12.36' W. long., to Cape Sedanka at 53° 50.50' N. lat., 166° 05.33' W. long., and by a line across Udagak Strait along 53° 42.50' N. lat. [SOUTH OF A LINE FROM BRUNDAGE HEAD (53° 56' N. LAT., 166° 12.50' W. LONG.) TO CAPE SEDANKA (53° 50.50' N. LAT., 166° 05.33' W. LONG.) AND NORTH OF 53° 42' N. LAT.];

(10) all waters of Kaletka Bay enclosed by a line from [THE TIP OF] Erskine Point at 53° 58.97' N. lat., 166° 16.50' W. long. to [THE TIP OF] Cape Kaletka on Unalaska Island at 54° 00.50' N. lat., 166° 22.37' W. long.;

(11) all waters of Unalaska Bay enclosed by a line from Cape Cheerful at 54° 01.00' N. lat., 166° 40.25' W. long., to Cape Kaletka at 54° 00.50' N. lat., 166° 22.37' W. long. [(54° 01' N. LAT., 166° 09.50' W. LONG.) TO CAPE KALETKA (54° 00.50' N. LAT.)];

(12) all waters [OF MAKUSHIN BAY] enclosed by a line from Cape Kovrizha at 53° 51.00' N. lat., 167° 09.50' W. long to Cape Idak at 53° 31.35 N. lat., 167° 47.66' W. long., and by a line from Otter Point at 53° 23.13' N. lat., 167° 50.50' W. long. to Konets Head at 53° 18.95 N. lat., 167° 51.06' W. long. [(53° 51' N. LAT., 167° 09.50' W. LONG.) TO CAPE IDAK (53° 31.33' N. LAT., 167° 47' W. LONG.) TO KONETS HEAD (53° 19.50' N. LAT., 167° 50.75' W. LONG.)];

(13) all waters of Inanudak Bay enclosed by a line from Cape Kigunak at 53° 20.00 N. lat., 168° 26.08' W. long., to Cape Ilmalianuk at 53° 16.42' N. lat., 168° 36.78' W. long. [ON UMNAK ISLAND];

**ISSUE:** As commercial shellfish regulations develop over time, demarcation lines within and between management areas sometimes change independent of each other. The intent of this proposal is to standardize demarcation lines across commercial fisheries as well as update specific demarcation coordinates to reflect the best precision afforded by current technology.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued use of ambiguous demarcation lines.

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

**WHO IS LIKELY TO BENEFIT?** Commercial fishermen, fishery managers, and law enforcement will benefit from clear and consistent regulations.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F11-307)  
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**PROPOSAL 355 - 5 AAC 38.41X. Registration Area J Octopus Management Plan.** Establish octopus management plan for Registration Area J as follows:

**5 AAC 38.41X. Registration Area J Octopus Management Plan.** Octopus may be taken in Registration Area J during a directed fishery or as bycatch to a directed groundfish or shellfish fishery as follows:

- (1) when octopus are taken during a directed fishery a commissioner's permit is required under provisions of 5 AAC 38.062;
- (2) when octopus are taken as bycatch a commissioner's permit is not required; octopus taken as bycatch shall be recorded on the directed fishery CFEC permit card; octopus taken as bycatch may not exceed 20% by weight of the directed species onboard a vessel, unless modified by emergency order;
- (3) octopus taken under a commissioner's permit shall be recorded on a valid CFEC permit card for octopus.

**ISSUE:** Few regulations presently guide commercial harvest of octopus in Registration Area J. This proposal seeks to enact commercial octopus regulations consistent with current management practices.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Potential confusion regarding commercial management of octopus.

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

**WHO IS LIKELY TO BENEFIT?** Commercial fishermen, fishery managers, and law enforcement will benefit from clear and consistent regulations.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F11-304)

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**PROPOSAL 356 - 5 AAC 31.590. Westward Area Shrimp Fisheries Management Plan.**  
Align pot shrimp season with guideline harvest range as follows:

**5 AAC 31.590. Westward Area Shrimp Fisheries Management Plan.**

(a) The management plan in this section applies to shrimp fishing with pots in the North Afognak, West Afognak, and Mainland Sections of the Kodiak District.

(b) Shrimp may be taken only from May 1 through February 28, unless closed earlier by emergency order.

(c) The guideline harvest range is 0 to 40,000 pounds, whole weight. No more than 15,000 pounds, whole weight, may be harvested from an individual section **from May 1 through February 28** [DURING A CALENDAR YEAR].

**ISSUE:** This regulation limits shrimp harvest to 15,000 pounds per calendar year; however the commercial shrimp season and the corresponding guideline harvest ranges are established for the dates of May 1 through February 28. Harvest caps used to prevent overharvest of localized shrimp populations are not consistent with actual commercial season dates for shrimp taken with pot gear.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued use of inconsistent regulations.

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

**WHO IS LIKELY TO BENEFIT?** Commercial fishermen, fishery managers, and law enforcement will benefit from clear and consistent regulations.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F11-305)

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**PROPOSAL 357 - 5 AAC 31.500. Description of Registration Area J; and 5 AAC 31.505. Description of Registration Area J District and Sections.** Amend regulatory description of Registration Area J, districts, and sections as follows:

**5 AAC 31.500. Description of Registration Area J.** Registration Area J consists of the Pacific Ocean waters that are south of the latitude of Cape Douglas (58° 51.10' N. lat.), and west of **149° W. long.** [THE LONGITUDE OF CAPE FAIRFIELD (148° 50.25' W. LONG.)], and the Bering Sea and Pacific Ocean waters that are east of the Maritime Boundary Agreement Line as that line is described in the text of and depicted in the annex to the Maritime Boundary

Agreement between the United States and the Union of Soviet Socialist Republics signed in Washington, June 1, 1990, and as that Maritime Boundary Agreement Line is depicted on *NOAA Chart #513* (6th Edition, February 23, 1991) and *NOAA Chart #514* (6th Edition, February 16, 1991). These charts are adopted by reference.

**5 AAC 31.505. Description of Registration Area J District and Sections.** (a) Kodiak District: waters of Registration Area J that are east of a line **extending south from the Alaska Peninsula (near Kilokak Rocks) along 156° 20.22' W. long.** [RUNNING SOUTH FROM KILOKAK ROCKS].

(1) Inner Marmot Bay Section: all waters of Marmot Bay and adjacent bays **enclosed by a line between Inner Point and Afognak Point along 152° 47.75' W. long., and by a line from Cape Izhut at 58° 06.03' N. lat., 152° 20.40' W. long. to Miller Point at 57° 50.25' N. lat., 152° 21.12' W. long.** [EAST OF A LINE FROM THE EASTERNMOST TIP OF INNER POINT TO THE SOUTHERNMOST TIP OF AFOGNAK POINT AND WEST OF A LINE FROM THE SOUTHERNMOST TIP OF CAPE IZHUT TO THE NORTHERNMOST TIP OF MILLER POINT];

(2) Ugak Bay Section: all waters **enclosed by a line from Narrow Cape at 57° 25.95' N. lat., 152° 19.13' W. long., to the northernmost point of Ugak Island at 57° 23.63' N. lat., 152° 17.47' W. long., by a line from the westernmost point of Ugak Island at 57° 21.88' N. lat., 152° 18.76' W. long., to a location offshore at 57° 10.09' N. lat., 152° 18.76' N. long., to a location offshore at 57° 02.84' N. lat., 152° 37.69' W. long., and by a line extending south from Kodiak Island along 152° 37.69' W. long.** [WEST OF A LINE FROM NARROW CAPE TO THE NORTHERNMOST POINT OF UGAK ISLAND, TO 57° 10' N. LAT., 152° 19' W. LONG., TO 57° 03' N. LAT., 152° 37.92' W. LONG., AND EAST OF 152° 37.92' W. LONG., INCLUDING ALL OF UGAK BAY];

(3) Kiliuda Bay Section: **all waters enclosed by a line across Sitkalidak Strait along 153° 16.00' W. long., by a line extending south from Kodiak Island along 152° 37.69' W. long., and by a line extending east from Sitkalidak Island along 57° 02.84' N. lat.** [ALL WATERS OF SITKALIDAK STRAIT WEST OF 152° 37.92' W. LONG., AND NORTH OF 57° 03' N. LAT., INCLUDING THE WATERS OF SITKALIDAK STRAIT EAST OF A LINE FROM BUSH POINT TO A POINT ON SITKALIDAK ISLAND AT 57° 12.92' N. LAT., 153° 13.08' W. LONG.];

(4) Two Headed Island Section: all waters **enclosed by a line across Sitkalidak Strait along 153° 16.00' W. long., by a line extending east from Sitkalidak Island along 57° 02.84' N. lat., by a line from a location offshore at 57° 02.84' N. lat., 152° 37.69' W. long. to Sitkinak Island at 56° 33.88' N. lat., 153° 52.66' W. long., and by a line from Whirlpool Point Light at 56° 36.99' N. lat., 154° 05.60' W. long. to Aliulik Peninsula at 56° 46.01' N. lat., 153° 54.21' W. long.** [WEST OF A LINE FROM THE SOUTHERNMOST TIP OF BUSH POINT TO A POINT ON SITKALIDAK ISLAND AT 57° 12.92' N. LAT., 153 13.08' W. LONG., AND SOUTH OF A LINE FROM 57° 03' N. LAT., 153° 11' W. LONG., TO 57° 03' N. LAT., 152 37.08' W. LONG., TO THE NORTHERNMOST TIP OF CAPE SITKINAK AND EAST OF A LINE FROM A POINT ON THE ALIULIK PENINSULA AT 56° 4.17' N. LAT., 153° 54' W. LONG., TO THE NORTHERNMOST TIP OF WHIRLPOOL POINT];

(5) Alitak Bay Section: **all waters of Alitak Bay and adjacent bays enclosed by a line from Aliulik Peninsula at 56° 46.01' N. lat., 153° 54.21' W. long. to Whirlpool Point Light at 56° 36.99' N. lat., 154° 05.60' W. long., by a line from Dolina Point at 56°**



**36.86' N. lat., 154° 13.40' W. long.) to Cape Alitak Light at 56° 50.59' N. lat., 154° 18.42' W. long., excluding the waters of the Olga Bay Section [ALL WATERS WEST OF A LINE FROM A POINT OF THE ALIULIK PENINSULA AT 56° 46.17' N. LAT., 153° 54' W. LONG, TO THE NORTHERNMOST TIP OF WHIRLPOOL POINT AND EAST OF A LINE FROM THE NORTHERNMOST TIP OF DOLINA POINT TO CAPE ALITAK LIGHT AND SOUTH OF OLGA NARROWS AT 57° 03' N. LAT.];**

(6) Olga Bay Section: **all waters of Olga Bay enclosed by a line across Olga Narrows along 57° 03.00' N. lat. [NORTH OF OLGA NARROWS AT 57° 03' N. LAT., AND INCLUDING ALL OF OLGA BAY];**

(7) Uyak Bay Section: **all waters of Uyak Bay and adjacent bays enclosed by a line from Cape Uyak at 57° 38.33' N. lat., 154° 20.83' W. long. to Cape Kuliuk at 57° 48.25' N. lat., 153° 55.98' W. long. [EAST OF A LINE FROM CAPE UYAK TO CAPE KULIUK, INCLUDING ALL OF UYAK BAY];**

(8) Uganik Bay Section: **all waters of Uganik Bay enclosed by a line from Miners Point at 57° 54.00' N. lat., 153° 43.58' W. long. to Cape Uganik at 57° 58.00' N. lat., 153° 30.28' W. long., and by a line across Uganik Passage along 153° 12.33' W. long. [EAST OF A LINE FROM THE NORTHERNMOST TIP OF MINERS POINT TO THE WESTERNMOST TIP OF CAPE UGANIK AND WEST OF 153° 12.33' W. LONG. IN UGANIK PASSAGE];**

(9) West Afognak Section: **all waters enclosed by a line from Cape Uganik at 57° 58.00' N. lat., 153° 30.28' W. long., to Raspberry Cape at 58° 03.58' N. lat., 153° 25.25' W. long., to Black Cape at 58° 24.50' N. lat., 152° 53.30' W. long., to Eagle Cape at 58° 32.57' N. lat., 152° 40.07' W. long., by a line across Cape Current Narrows along 152° 30.00' W. long., by a line between Inner Point and Afognak Point along 152° 47.75' W. long., and by a line across Uganik Passage along 153° 12.33' W. long. [EAST OF A LINE FROM THE WESTERNMOST TIP OF CAPE UGANIK THROUGH THE WESTERNMOST TIPS OF RASPBERRY, BLACK AND EAGLE CAPES, SOUTH OF THE LATITUDE OF THE WESTERNMOST TIP OF EAGLE CAPE AND WEST OF THE LONGITUDE OF THE EASTERNMOST TIP OF CAPE CURRENT NARROWS AND WEST OF A LINE FROM THE EASTERNMOST TIP OF INNER POINT TO THE SOUTHERNMOST TIP OF AFOGNAK POINT AND EAST OF A 153 12.33' W. LONG. IN UGANIK PASSAGE];**

(10) North Afognak Section: **all waters enclosed by a line from Shuyak Island at 58° 37.77' N. lat., 152° 19.65' W. long, to a location offshore at 58° 26.00' N. lat., 151° 59.20' W. long., to Tonki Cape at 58° 21.13' N. lat., 151° 59.20' W. long., and by a line across Cape Current Narrows along 152° 30.00' W. long. [ALL WATERS SHOREWARD OF A LINE FROM TONKI CAPE TO 58° 26' N. LAT., 151° 59' W. LONG., TO POINT BANKS AND EAST OF CAPE CURRENT NARROWS INCLUDING THE WATERS OF TONKI BAY];**

(11) Mainland Section: **all state waters of Alaska adjacent to the Alaska Peninsula that are south of 58° 51.10' N. lat. (the latitude of Cape Douglas), and east of 156° 20.22' W. long. [ALL WATERS SOUTH OF THE LATITUDE OF CAPE DOUGLAS (58° 52' N. LAT.), WEST OF A LINE FROM 58° 52' N. LAT., 153° W. LONG., TO 57° N. LAT., 156° 19' W. LONG., AND NORTHEAST OF THE LONGITUDE OF CAPE KILOKAK (156° 19' W. LONG.);**

(12) Marmot Island Section: **all waters of the Kodiak District enclosed by a line extending east from Tonki Cape along 58° 21.13' N. lat., by a line from Cape Izhut at**

**58° 06.03' N. lat., 152° 20.40' N. long. to Miller Point at 57° 50.25' N. lat., 152° 21.12' W. long., and by a line extending east from Kodiak Island along 57° 47.90' N. lat.** [ALL WATERS SOUTH OF THE LATITUDE OF TONKI CAPE (58° 21' N. LAT.), EXCLUDING THE WATERS OF TONKI BAY, AND ALL WATERS NORTH OF THE NORTHERNMOST POINT OF LONG ISLAND AT 57° 47.50' N. LAT., AND EAST OF A LINE FROM CAPE IZHUT TO MILLER POINT];

(13) Chiniak Bay Section: all waters of Chiniak Bay **enclosed by a line extending east from Kodiak Island along 57° 47.90' N. lat., and by a line from Cape Chiniak at 57° 37.20' N. lat., 152° 09.37' W. long., to 57° 47.90' N. lat., 152° 3.73' W. long.** [SOUTH OF 57 47.50' N. LAT., AND WEST OF A LINE FROM CAPE CHINIAK TO 57° 47.50' N. LAT., 152° 04.50' W. LONG.];

(14) Repealed 7/25/82;

(15) Repealed 7/25/82;

(16) Alitak Flats Section: all waters **enclosed by a line from Cape Alitak Light at 56° 50.59' N. lat., 154° 18.42' W. long. to Dolina Point at 56° 36.86' N. lat., 154° 13.40' W. long., by a line extending west from Dolina Point along 56 36.86' N. lat., by 154° 47.40' W. long. (the longitude of Cape Ikolik), and by a line extending west from Low Cape along 57° 00.00' N. lat.** [WEST OF A LINE FROM THE NORTHERNMOST TIP OF DOLINA POINT TO CAPE ALITAK LIGHT, NORTH OF THE LATITUDE OF DOLINA POINT (56° 37' N. LAT.), EAST OF THE LONGITUDE OF CAPE IKOLIK (154° 47' W. LONG.) AND SOUTH OF THE LATITUDE OF LOW CAPE (56° 59.50' N. LAT.)];

(17) General Section: all remaining waters of the district.

(b) Chignik District: **all waters of Registration Area J on the south side of the Alaska Peninsula west of a line extending south from the Alaska Peninsula (near Kilokak Rocks) along 156° 20.22' W. long., east of a line from Kupreanof Point at 55° 33.98' N. lat., 159 35.88' W. long. to Castle Rock at 55° 16.80' N. lat., 159° 29.11' W. long. and extending 135° southeast from Castle Rock** [ALL WATERS WEST OF A LINE EXTENDING SOUTH FROM KILOKAK ROCKS AND EAST OF A LINE FROM KUPREANOF POINT TO THE EASTERNMOST POINT OF CASTLE ROCK, AND EAST OF A LINE EXTENDING 135° SOUTHEAST FROM THE EASTERNMOST POINT OF CASTLE ROCK].

(1) Kujulik Bay Section: **all waters enclosed by a line from Cape Kumlik at 56° 38.45' N. lat., 157° 27.00' W. long., to the westernmost point of Sutwik Island at 56° 32.40' N. lat., 157° 19.90' W. long., by a line from Foggy Cape at 56° 32.21' N. lat., 156° 58.40' W. long., to the southernmost point of Nakchamik Island at 56° 18.57' N. lat., 157° 49.57' W. long., and by a line from the northernmost point of Nakchamik Island at 56° 22.15' N. lat., 157° 49.85' W. long. to Cape Kumliun at 56° 28.58' N. lat., 157° 51.55' W. long.** [ALL WATERS WEST OF A LINE FROM CAPE KUMLIK TO THE WESTERNMOST POINT OF SUTWIK ISLAND, NORTH OF A LINE FROM FOGGY CAPE TO THE SOUTHERNMOST POINT OF NAKCHAMIK ISLAND, AND EAST OF A LINE FROM THE NORTHERNMOST POINT OF NAKCHAMIK ISLAND TO CAPE KUMLIUN];

(2) Chignik Bay Section: **all waters enclosed by a line from Cape Kumliun at 56° 28.58' N. lat., 157° 51.55' W. long. to the northernmost point of Nakchamik Island at 56° 22.15' N. lat., 157° 49.85' W. long., and by a line from the southernmost point of Nakchamik Island at 56° 18.57' N. lat., 157° 49.57' W. long. to Castle Cape at 56° 14.44' N. lat., 158° 06.94' W. long.** [ALL WATERS WEST OF A LINE FROM CAPE KUMLIUN TO THE NORTHERNMOST POINT OF NAKCHAMIK ISLAND, AND NORTH OF A LINE

FROM THE SOUTHERNMOST POINT OF NAKCHAMIK ISLAND TO CASTLE CAPE];

(3) Kuiukta Bay Section: all waters of Kuiukta Bay enclosed by a line from Cape Ikti at 55° 58.78' N. lat., 158° 30.55' W. long. to the southern entrance of Herring Lagoon at 55° 57.50' N. lat., 158° 39.20' W. long. [NORTH OF A LINE FROM CAPE IKTI TO THE SOUTHERN ENTRANCE OF HERRING LAGOON AT 55° 57.50' N. LAT., 158° 38.75' W. LONG.];

(4) Mitrofanina Island Section: all waters enclosed by a line extending south from Seal Cape along 158° 26.00' W. long., by 55° 33.98' N. lat. (the latitude of Kupreanof Point), by a line from Three Star Point at 55° 53.35' N. lat., 159° 10.48' W. long. to the northernmost point of Chiachi Island at 55 52.66' N. lat., 159° 08.85' W. long., and by a line extending south from the southernmost point of Chiachi Island along 159° 07.00' W. long. [WEST OF THE LONGITUDE OF SEAL CAPE (158° 26' W. LONG.), AND NORTH OF THE LATITUDE OF KUPREANOF POINT (55° 33.98' N. LAT.), EAST OF THE LONGITUDE OF THE SOUTHERNMOST POINT OF CHIACHI ISLAND (159° 07' W. LONG.) AND EAST OF A LINE FROM STAR POINT TO THE NORTHERNMOST POINT OF CHIACHI ISLAND], excluding the waters of the Kuiukta Bay Section;

(5) Ivanof Bay Section: all waters enclosed by a line from Three Star Point at 55° 53.35' N. lat., 159° 10.48' W. long. to the northernmost point of Chiachi Island at 55° 52.66' N. lat., 159° 08.85' W. long., by a line extending south from the southernmost point of Chiachi Island along 159° 07.00' W. long., and by a line extending east from Kupreanof Point along 55° 33.98' N. lat. [WEST OF A LINE FROM STAR POINT TO THE NORTHERNMOST POINT OF CHIACHI ISLAND, WEST OF THE LONGITUDE OF THE SOUTHERNMOST POINT OF CHIACHI ISLAND (159° 07' W. LONG.), AND NORTH OF THE LATITUDE OF KUPREANOF POINT (55° 33.98' N. LAT.)];

(6) Chiginagak Bay Section: all waters enclosed by a line from Cape Providence at 56° 58.67' N. lat., 153° 33.47' W. long. to Aiugnak Columns at 56° 53.08' N. lat., 156° 34.12' W. long., to the easternmost point of Ugaiushak Island at 56° 47.10' N. lat., 156° 50.45' W. long., to Cape Kuyuyukak at 56° 53.85' N. lat., 156° 49.72' W. long. [THE SOUTHERNMOST TIP OF CAPE PROVIDENCE TO AIUGNAK COLUMNS (56° 53.08' N. LAT., 156° 34.12' W. LONG.) TO THE EASTERNMOST TIP OF UGAIUSHAK ISLAND TO CAPE KUYUYUKAK (56° 54.37' N. LAT., 156° 48.75' W. LONG.)];

(7) Seal Cape Section: all waters enclosed by a line from Castle Cape at 56° 14.44' N. lat., 158° 06.94' W. long. to the northernmost point of Chankliut Island at 56° 09.39' N. lat., 158° 05.55' W. long. and by a line from the southernmost point of Chankliut Island at 56° 07.98' N. lat., 158° 06.87' W. long., to Seal Cape at 55° 59.57' N. lat., 158° 26.00' W. long. [WEST OF A LINE FROM CASTLE CAPE TO THE NORTHERNMOST POINT OF CHANKLIUT ISLAND, AND FROM THE SOUTHERNMOST POINT OF CHANKLIUT ISLAND TO SEAL CAPE];

(8) Nakalilok Bay Section: all waters enclosed by a line from Cape Kuyuyukak at 56° 53.85' N. lat., 156° 49.72' W. long., to the easternmost point of Ugaiushak Island at 56° 47.10' N. lat., 156° 50.45' N. long., to Foggy Cape at 56° 32.21' N. lat., 156° 58.40' W. long., to Cape Kunmik at 56° 46.63' N. lat., 157° 10' W. long. [(56° 54.37' N. LAT., 156° 48.75' W. LONG.), TO THE EASTERNMOST TIP OF UGAIUGHAK ISLAND TO THE EASTERNMOST TIP OF FOGGY CAPE TO CAPE KUNMIK (56° 46.63' N. LAT., 157° 10' W. LONG.)];

(9) Aniakchak Bay Section: all waters enclosed by a line from Cape Kunmik at 56° 46.63' N. lat., 157° 10' W. long. to Foggy Cape at 56° 32.21' N. lat., 156° 58.40' W. long., and by a line from the westernmost point of Sutwik Island at 56° 32.40' N. lat., 157° 19.90' W. long., to Cape Kumlik at 56° 38.45' N. lat., 157° 27.00' W. long. [LINES FROM CAPE KUNMIK (56° 46.63' N. LAT., 157° 10' W. LONG.) TO THE EASTERNMOST TIP OF FOGGY CAPE AND FROM THE WESTERNMOST TIP OF SUTWIK ISLAND TO THE EASTERNMOST TIP OF CAPE KUMLIK].

(c) South Peninsula District: all waters of Registration Area J on the south side of the Alaska Peninsula that are west of a line from Kupreanof Point at 55° 33.98' N. lat., 159° 35.88' W. long. to Castle Rock at 55° 16.80' N. lat., 159° 29.11' W. long. and extending 135° southeast from Castle Rock, and that are east of a line extending south from Scotch Cap Light along 164° 44.72' W. long. [ALL WATERS WEST OF A LINE FROM KUPREANOF POINT TO THE EASTERNMOST POINT OF CASTLE ROCK, AND WEST OF A LINE EXTENDING 135° SOUTHEAST FROM THE EASTERNMOST POINT OF CASTLE ROCK AND PACIFIC OCEAN WATERS EAST OF THE LONGITUDE OF CAPE SARICHEF].

(1) Stepovak Bay Section: all waters enclosed by a line from Kupreanof Point at 55° 33.98' N. lat., 159° 35.88' W. long., to Castle Rock at 55° 16.80' N. lat., 159° 29.11' W. long., to Cape Thompson at 55° 15.21' N. lat., 159° 31.23' W. long., by a line from Big Koniuji Island at 55° 13.13' N. lat., 159° 34.45' W. long. to Nagai Island at 55° 10.75' N. lat., 159° 48.75' W. long., by a line from Nagai Island at 55° 15.07' N. lat., 159° 56.50' W. long. to Cape Devine at 55° 22.65' N. lat., 160° 08.95' W. long., to Karpa Island at 55° 30.06' N. lat., 160° 03.85' W. long., to the Alaska Peninsula (near San Diego Bay Lagoon) at 55° 33.93' N. lat., 160° 26.80' W. long. [BOUNDED BY A LINE FROM KUPREANOF POINT TO THE EASTERNMOST POINT OF CASTLE ROCK TO CAPE THOMPSON ON BIG KONIUJI ISLAND, THEN FROM A POINT ON BIG KONIUJI ISLAND AT 55° 13.25' N. LAT., 159° 34.50' W. LONG., TO A POINT ON NAGAI ISLAND AT 55° 10.83' N. LAT., 159° 48.67' W. LONG., AND FROM A POINT ON NAGAI ISLAND AT 55° 15.25' N. LAT., 159° 56.50' W. LONG., TO CAPE DEVINE ON KOROVIN ISLAND, TO THE SOUTHERNMOST POINT OF KARPA ISLAND, AND FROM THE WESTERNMOST POINT OF KARPA ISLAND TO THE ENTRANCE OF SAN DIEGO BAY LAGOON];

(2) Unga Straits Section: all waters enclosed by a line from the Alaska Peninsula (near San Diego Bay Lagoon) at 55° 33.93' N. lat., 160° 26.80' W. long. to Karpa Island at 55° 30.06' N. lat., 160° 03.85' W. long., to Cape Devine at 55° 22.65' N. lat., 160° 08.95' W. long., by a line from Korovin Island at 55° 23.75' N. lat., 160° 19.25' W. long. to Popof Island at 55° 21.42' N. lat., 160° 20.00' W. long., by a line from East Head at 55° 21.47' N. lat., 160° 29.55' W. long. to West Head at 55° 22.72' N. lat., 160° 31.17' W. long., and by a line from Unga Spit to the Alaska Peninsula along 160° 43.50' W. long. [BOUNDED BY A LINE FROM THE ENTRANCE OF SAN DIEGO BAY LAGOON TO THE WESTERNMOST POINT OF KARPA ISLAND, THEN FROM THE SOUTHERNMOST POINT OF KARPA ISLAND TO CAPE DEVINE ON KOROVIN ISLAND, THEN FROM A POINT ON KOROVIN ISLAND AT 55° 23.75' N. LAT., 160° 19.25' W. LONG, TO A POINT ON POPOF ISLAND AT 55° 21.42' N. LAT., 160° 20' W. LONG., THEN FROM EAST HEAD ON POPOF ISLAND TO WEST HEAD ON UNGA ISLAND, THEN FROM UNGA SPIT (160° 43.50' W. LONG.) NORTH TO THE MAINLAND];

(3) West Nagai Section: all waters enclosed by a line from West Head at 55° 22.72' N. lat., 160° 31.17' W. long. to East Head at 55° 21.47' N. lat., 160° 29.55' W. long.,

**by a line from Popof Island at 55° 21.42' N. lat., 160° 20.00' W. long. to Korovin Island at 55° 23.75' N. lat., 160° 19.25' W. long., by a line from Cape Devine at 55° 22.65' N. lat., 160° 08.95' W. long. to Nagai Island at 55° 15.07' N. lat., 159° 56.50' W. long., by a line extending south from Mountain Point along 160° 13.38' W. long., by 54° 41.35' N. lat., and by a line extending south from Acheredin Point along 160° 49.25' W. long.** [BOUNDED BY A LINE FROM MOUNTAIN POINT ON NAGAI ISLAND SOUTH TO A POINT AT 54° 43.33' N. LAT., 160° 13.25' W. LONG., THEN WEST TO A POINT AT 54° 43.42' N. LAT., 160° 49.25' W. LONG., THEN NORTH TO ACHEREDIN POINT ON UNGA ISLAND, THEN FROM WEST HEAD ON UNGA ISLAND TO EAST HEAD ON POPOF ISLAND THEN FROM A POINT ON POPOF ISLAND AT 55° 21.75' N. LAT., 160° 20' W. LONG., TO A POINT ON KOROVIN ISLAND AT 55° 23.75' N. LAT., 160° 19.25' W. LONG., AND FROM CAPE DEVINE ON KOROVIN ISLAND TO A POINT ON NAGAI ISLAND AT 55° 15.25' N. LAT., 159° 56.50' W. LONG.];

(4) Beaver Bay Section: all waters **enclosed by a line from Unga Spit to the Alaska Peninsula along 160° 43.50' W. long., and by a line from Pinnacle Point at 55° 16.44' N. lat., 160° 51.60' W. long. to Seal Cape at 55° 21.59' N. lat., 161° 19.71' W. long.** [BOUNDED BY A LINE FROM PINNACLE POINT ON UNGA ISLAND TO SEAL CAPE AT 55° 21.75' N. LAT., 161° 19.50' W. LONG., AND FROM UNGA SPIT (160° 43.50' W. LONG.), NORTH TO THE MAINLAND];

(5) Kenoy's Island Section: all waters **enclosed by a line extending south from Acheredin Point along 160° 49.25' W. long., by 54° 41.35' N. lat., by a line from Goose Island at 54° 41.35' N. lat., 162° 13.24' W. long. to the easternmost point of Poperechnoi Island at 55° 04.00' N. lat., 161° 32.65' W. long., to the southernmost point on Wosnesenski Island at 55° 09.55' N. lat., 161° 20.36' W. long., and by a line from the northeasternmost point of Wosnesenski Island at 55° 13.14' N. lat., 161° 19.71' W. long. to Seal Cape at 55° 21.59' N. lat., 161° 19.71' W. long., to Pinnacle Point at 55° 16.44' N. lat., 160° 51.60' W. long.** [BOUNDED BY A LINE FROM SEAL CAPE AT 55° 21.75' N. LAT., 161° 19.50' W. LONG., TO PINNACLE POINT ON UNGA ISLAND, THEN FROM ACHEREDIN POINT ON UNGA ISLAND TO A POINT AT 54° 43.42' N. LAT., 160° 49.25' W. LONG., THEN WEST TO THE NORTHERNMOST POINT ON GOOSE ISLAND, THEN TO THE EASTERNMOST POINT ON POPERECHNOI ISLAND, THEN TO THE SOUTHERNMOST POINT ON WOSNESENSKI ISLAND, AND THEN FROM THE NORTHEASTERNMOST POINT ON WOSNESENSKI ISLAND TO SEAL CAPE AT 55° 21.75' N. LAT., 161° 19.50' W. LONG.];

(6) Pavlof Bay Section: all waters **enclosed by a line from Seal Cape at 55° 21.59' N. lat., 161° 19.71' W. long. to the northeasternmost point of Wosnesenski Island at 55° 13.14' N. lat., 161° 19.71' W. long., and from the southernmost point of Wosnesenski Island at 55° 09.55' N. lat., 161° 20.36' W. long. to the easternmost point of Poperechnoi Island at 55° 04.00' N. lat., 161° 32.65' W. long., to a location offshore at 54° 55.28' N. lat., 161° 48.33' W. long., to a line from the Alaska Peninsula at 55° 05.90' N. lat., 161° 59.00' W. long.** [BOUNDED BY A LINE FROM SEAL CAPE AT 55° 21.75' N. LAT., 161° 19.50' W. LONG., TO THE NORTHERNMOST POINT OF WOSNESENSKI ISLAND AND FROM THE SOUTHERNMOST POINT OF WOSNESENSKI ISLAND TO THE EASTERNMOST POINT OF POPERECHNOI ISLAND TO BELKOFSKI POINT];

(7) Belkofski Bay Section: all waters **enclosed by a line from the Alaska Peninsula at 55° 05.90' N. lat., 161° 59.00' W. long., to a location offshore at 54° 55.28' N.**

**lat., 161° 48.33' W. long., to Goose Island at 55° 41.35' N. lat., 162° 13.24' W. long., to Fawn Point at 54° 49.66' N. lat., 162° 19.05' W. long., and by a line from West Cape at 54 55.66' N. lat., 162 26.19' W. long. to Thin Point at 54° 57.32' N. lat., 162° 33.50' W. long.** [BOUNDED BY A LINE FROM BELKOFSKI POINT TO THE SOUTHERNMOST POINT OF POPERECHNOI ISLAND TO THE NORTHERNMOST POINT ON GOOSE ISLAND TO FAWN POINT ON DEER ISLAND TO THIN POINT ON THE ALASKA PENINSULA];

(8) Morzhovoi Bay Section: all waters **enclosed by a line from Thin Point at 54° 57.32' N. lat., 162° 33.50' W. long. to Cape Pankof at 54° 39.60' N. lat., 160° 03.70' W. long., and by a line across Isanotski Strait along 54° 51.30' N. lat.** [BOUNDED BY A LINE FROM THIN POINT ON THE ALASKA PENINSULA TO CAPE PANKOF OF UNIMAK ISLAND AND FROM THE FALSE PASS CANNERY DOCK TO NICHOLS POINT].

(d) North Peninsula District: all Bering Sea waters east of the longitude of Cape Sarichef.

(e) Aleutian District: all waters west of **164° 44.72' W. long. (the longitude of Scotch Cap Light ), excluding the waters of the North Peninsula District** [THE LONGITUDE OF CAPE SARICHEF].

**ISSUE:** As commercial shellfish regulations develop over time, demarcation lines within and between management areas sometimes change independent of each other. The intent of this proposal is to standardize demarcation lines across commercial fisheries as well as update specific demarcation coordinates to reflect the best precision afforded by current technology.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued use of ambiguous demarcation lines.

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

**WHO IS LIKELY TO BENEFIT?** Commercial fishermen, fishery managers, and law enforcement will benefit from clear and consistent regulations.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F11-306)

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**PROPOSAL 358 - 5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E.**

Close the commercial shrimp pot fishery in PWS as follows:

Close the commercial shrimp season and remove new shrimp “plan” from regulation in Prince William Sound implemented in last Board of Fish cycle. Repeal article 7 area E.

**ISSUE:** New commercial shrimp season in Prince William Sound in addition to current subsistence personal use and sport harvest will result in overharvest of current shrimp stocks and is violation of the Sustainable Salmon Fisheries Policy.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Stocks will be overharvested. Conflict will continue to occur. Exvessel value of catches, if accurate, clearly shows this fishery is results in a negative cash flow for all parties involved.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, shrimp stocks will remain healthy and Alaskans will be able to harvest a few shrimp without conflict. The economic benefit for the state is far greater in a sport fishery with thousands of users buying fuel food rope pots etc.

**WHO IS LIKELY TO BENEFIT?** All subsistence personal use and sport shrimpers in Alaska. Shrimp stocks. The State of Alaska, the Department of Fish and Game and shrimpers who are obviously losing money in this fishery.

**WHO IS LIKELY TO SUFFER?** No one. If current catches are accurate fishermen are actually losing money by participating.

**OTHER SOLUTIONS CONSIDERED?** Restrict commercial fishery to areas fished in 2010 and 2012 to avoid conflict with 70% of non commercial users. This would still result in a losing fishery and enforcement would cost taxpayers even more money to assure fishery operated in legal areas.

**PROPOSED BY:** Joseph J. Hanes (HQ-F11-030)  
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**PROPOSAL 359 - 5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E.**  
Close the commercial shrimp pot fishery in PWS as follows:

Close the commercial pot fishery in Prince William Sound. This is being ruined for thousands of Alaskans so a few can lose money in the \$200,000 fishery. What is the cost to the taxpayers to manage this fishery? There is no way they made any money with the cost of fuel with the reported catch. This is destroying the wonderful family event it had become.

**ISSUE:** The new commercial shrimp pot fishery.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** There will be no shrimp left in the Sound. It will become the desert that it was for 16 years.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes there will not be any shrimp left if this is not fixed, if its not to late.

**WHO IS LIKELY TO BENEFIT?** All Alaskans who like to eat shrimp and enjoy family time in the sound.

**WHO IS LIKELY TO SUFFER?** Everyone is suffering now if reported harvest is accurate.

**OTHER SOLUTIONS CONSIDERED?** There are no other options.

**PROPOSED BY:** Jeff Benkert (HQ-F11-164)  
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**PROPOSAL 360 - 5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E.**

Close the commercial shrimp pot fishery in PWS as follows:

Closure of the commercial pot fishery in Prince William Sound.

**ISSUE:** The unsustainable commercial pot fishery for shrimp in Prince William Sound.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The fishery will crash like it has in the previous commercial fishery.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. The fishery is being overexploited.

**WHO IS LIKELY TO BENEFIT?** All Alaskan who enjoy the great outdoors in the Sound. This was a fully allocated fishery before the board of fish opened the commercial fishery.

**WHO IS LIKELY TO SUFFER?** No one. This is not a commercially viable fishery.

**OTHER SOLUTIONS CONSIDERED?** Just close area 2 close to Wittier. Does not protect the now dwindling stocks in the whole sound.

**PROPOSED BY:** Wynn Gilbertson (HQ-F11-165)  
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**PROPOSAL 361 - 5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E.**

Close the commercial shrimp pot fishery in PWS as follows:

Repeal the management plan that allows the commercial fishing for spot shrimp in Prince William Sound.

**ISSUE:** The over exploitation of the spot shrimp pot fishery. I am concerned about the sustainability of this fishery. We are repeating the past by allowing this to continue. The resource will be degraded to the point where we were years ago, and the future of the sport fishery is in danger of going away for decades. This was a fully allocated fishery before the current management plan was put in place.



**WHAT WILL HAPPEN IF NOTHING IS DONE?** Prince William Sound has been a great place for friends and families to go do some shrimping and that is going to go away. This great recreational opportunity will be a thing of the past. The commercial fishery is not worth destroying the sport and subsistence use of the resource. The value of the resource is much higher for the noncommercial use than the \$200,000 that the commercial fishery is worth.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, there will not be any shrimp left.

**WHO IS LIKELY TO BENEFIT?** All Alaskans that enjoy Prince William Sound.

**WHO IS LIKELY TO SUFFER?** The 80 something commercial shrimpers that are trying to figure out how to make money in this.

**OTHER SOLUTIONS CONSIDERED?** Close are 2 to commercial shrimping and save for the sport fishery. If this was done the commercial shrimpers will lose more money than they are now.

**PROPOSED BY:** Mike Crawford (HQ-F11-166)  
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**PROPOSAL 362 - 5 AAC 31.223. Lawful shrimp pot gear for Registration Area E.**  
Amend regulatory fishing hours for commercial pot shrimp as follows:

The hours of fishing restriction should be removed. This will allow fishermen to fish when they think is good with their operation.

**ISSUE:** The restriction of hours when gear is allowed to be operated is unnecessary. It does not allow for weather factors, driving factors in and out of ports, unforeseen complications of hauling gear, etc. It forces operators to make transits to and from ports at certain times, sometimes in darkness, sometimes in heavy weather, only to be able to operate fishing gear in the narrow window of time allowed. It forces operators to make hasty decisions when under a time crunch. These decisions could easily compromise safety, and also could easily create more lost gear that could have been avoided with more time, or more able to retrieve legally before it becomes lost.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Fishermen will continually be encouraged to increase risk in weather transits, just in order to be able to fish, and not “lose” a day of fishing. From the distant areas, they will often not be able to get the shrimp to market on the same day of fishing.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Fishermen will benefit by being able to make safer transits in rough weather by waiting until it is good to travel instead of traveling at a certain time in order to be able to fish at legal times.

Consumers will benefit by availability of fresher product.

**WHO IS LIKELY TO BENEFIT?** Fishermen will benefit by being able to make safer transits in rough weather by waiting until it is good to travel instead of traveling at a certain time in order to be able to fish at legal times.

Consumers will benefit by availability of fresher product.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Extending the hours was considered. It only changes the times when fishermen are exposed to compromising their safety. We found no good reasons for the fishery to be restricted by the clock.

**PROPOSED BY:** Whittier Advisory Committee (HQ-F11-120)  
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**PROPOSAL 363 - 5 AAC 31.235. Closed waters in Registration Area E.** Open Nellie Juan Fjord Area to commercial shrimping as follows:

Section 5 AAC 31.235 (b)(1) would be replaced in order to read as follows (with the appropriate Latitude and Longitude references to be included): “waters enclosed by a line from the north entrance to Pigot Bay to Point Culross, a line from the southernmost point of Culross Island to the northwest corner of Applegate Island, and north of a line from the southernmost point of Applegate Island running westward about a mile to the mainland. (approximately 60 degrees 37 minutes N latitude).

**ISSUE:** We would like the entire Nellie Juan Fjord area be accessible to Commercial shrimpers. The intent of having the commercial closed areas of subsection (b) was to leave the areas near ports and residential centers available for shrimp fishing only to the sport/recreational fishermen. These areas are where a high percentage of the recreational fishery takes place, and would reserve these areas exclusively for the sport/recreational fishery. The Nellie Juan closure is far from any port or community. It is beyond the normal usage area of many of the smaller boats.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Commercial fishermen will be denied access to an area that is not saturated with recreational fishermen, and this area will probably be underutilized.

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

**WHO IS LIKELY TO BENEFIT?** Commercial shrimpers would have access to the resource in this area. Also they would not have a closed area separating open areas.

**WHO IS LIKELY TO SUFFER?** No one. Recreational/sport fishermen would still have access to this area whenever the fishery is open.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Whittier Advisory Committee

(HQ-F11-167)

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**PROPOSAL 364 - 5 AAC 31.226. Shrimp pot marking requirements for Registration Area E.** Amend gear marking requirements for commercial shrimp pot gear as follows:

We would like it to read so that if you have more than ten pots on a longline, then you are required to have a buoy at each end.

**ISSUE:** The restriction of the number of pots allowed for one buoy is too restrictive. And it also increases the chance for line in the wheel, often close to shore, creating a potential safety hazard.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Often shrimp pots are deployed close to shore. Safety could be compromised by risking getting line in the wheel from the buoyline at the end of the longline while close to shore. One does not always have the desired maneuverability to get away from the line when close to shore, especially with offshore winds. This rule is perhaps in regulations for 2 reasons. One is the ability to show others where you are fishing, with the intent (no guarantees) of fewer gear conflicts. Ten or fewer pot longlines are generally fairly short (no guarantees), and are adequately marked with just one buoy. Another factor is that when properly set with adequate buoy line, the buoy is not directly over the pots, so the buoys only generally mark where the pots are set. Another reason for 2 buoys is a second chance to eliminate lost gear. From experience and hearsay, most of the shrimp pot gear that is “lost” in Prince William Sound would not be saved by having a second buoy. We do not feel that changing this regulation will change the amount of lost gear with any significance

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

**WHO IS LIKELY TO BENEFIT?** Fishermen will benefit by increased safety margins when operating near shore where maneuverability is restricted.

**WHO IS LIKELY TO SUFFER?** No one will suffer. Fishermen will still retain the choice to add a second buoy to a longline of any length.

**OTHER SOLUTIONS CONSIDERED?** Another solution we looked at was to have no requirement for a second buoy. We feel that once a string of gear gets significantly long, the advantage of being able to pull from the other end when something breaks, possibly but not necessarily outweighs the disadvantages (there are other means – dragging or fishing across - of retrieving lost longlines that actually work better for retrieving longer sets). We looked at setting the number of allowed pots with one buoy as high as 15, but ended up agreeing that 10 would be an acceptable number.

**PROPOSED BY:** Whittier Advisory Committee

(HQ-F11-168)

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**PROPOSAL 365 - 5 AAC 31.2XX. Operation of Other Pot Gear.** Restrict operation of sport, personal use, and subsistence shrimp pot gear by persons or vessels participating in the commercial shrimp pot fishery as follows:

**5 AAC 31.2XX. Operation of other pot gear. A person participating in, or a vessel validly registered for, the Area E shrimp pot fishery may not participate in, or be used to participate in, subsistence, personal use, or sport fisheries for shrimp with pot gear unless the vessel is unregistered as described in 5 AAC 31.053(d)(2) and other requirements of 5 AAC 31.053 have been met.**

**ISSUE:** Prince William Sound (PWS) shrimp regulations currently allow simultaneous participation in commercial and sport, personal use, and subsistence shrimp fisheries. There are areas of high shrimp abundance that are closed to commercial shrimp harvest immediately adjacent to areas that are open to commercial shrimp harvest. This creates a situation where misreporting of sport, personal use, or subsistence shrimp harvest may potentially occur. Clear separation of commercial and sport, personal use, and subsistence fisheries will benefit those individuals reporting harvests accurately. Commercially-harvested shrimp may be retained for personal use so an opportunity exists for a commercial harvester to obtain shrimp for personal consumption.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Confusion regarding legal participation in sport, personal use, and subsistence fisheries will persist and the potential for noncommercial product to become part of the sale of commercial product.

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

**WHO IS LIKELY TO BENEFIT?** Fishery management will benefit from accurate reporting of shrimp harvests. All harvesters will benefit from better management and accurate data from the shrimp fisheries.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F11-294)  
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**PROPOSAL 366 - 5 AAC 31.020. Shrimp area registration and 5 AAC 31.206. Area E registration.** Amend shrimp pot fishery registration from superexclusive to exclusive as follows:

**5 AAC 31.206. Area E registration.**

...

(b) Registration Area E is an **exclusive** [SUPEREXCLUSIVE] registration area for vessels fishing for shrimp with pot gear. A vessel participating in the Registration Area E shrimp pot fishery must be registered with the department by 5:00 p.m. April 1.

**ISSUE:** Prince William Sound (PWS), Area E, is designated a superexclusive registration area for vessels fishing for shrimp with pot gear. However, the term “superexclusive” is not defined in shrimp regulations. Statewide regulations describe restrictions on vessels registered for exclusive registration areas (5 AAC 31.020(e)(1)). This definition of exclusive registration area captures the board’s intent when it adopted the superexclusive registration requirement for PWS.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** If nothing is done, confusion will persist regarding the meaning of superexclusive.

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

**WHO IS LIKELY TO BENEFIT?** Users will benefit from having definitions for terms used in regulation.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Define superexclusive registration area, but the meaning was already applied to the term exclusive area registration.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F11-295)  
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**PROPOSAL 367 - 5 AAC 02.210. Subsistence shrimp fishery; and 5 AAC 77.553. Personal use shrimp fishery.** Include references to the noncommercial shrimp fishery management plan into subsistence and personal use regulations as follows:

**5 AAC 02.210. Subsistence shrimp fishery. Subsistence shrimp fisheries in Prince William Sound will be managed as specified in 5 AAC 55.055.** In the subsistence taking of shrimp...

**5 AAC 77.553(a). Personal use shrimp fishery. Personal use shrimp fisheries in Prince William Sound will be managed as specified in 5 AAC 55.055.** In the personal use taking of shrimp...

**ISSUE:** Management of Prince William Sound (PWS) subsistence and personal use fisheries is guided by the language in 5 AAC 55.055, Prince William Sound Noncommercial Shrimp Fishery Management Plan. However, there is no reference to this regulation in the PWS subsistence or personal use fisheries regulations.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Participants in PWS subsistence and personal use shrimp fisheries will lack information and understanding of the basis of PWS shrimp management.

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

**WHO IS LIKELY TO BENEFIT?** Users will benefit by being able to access regulations governing the different fisheries.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F11-296)  
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**PROPOSAL 368 - 5 AAC 38.2XX. Area E Octopus Management Plan.** Allow retention of octopus only as bycatch to other directed groundfish and shellfish fisheries as follows:

**5 AAC 38.2XX. Area E Octopus Management Plan. Octopus may only be taken as incidental bycatch in Registration Area E in pot and longline gear fisheries.**

**(1) the guideline harvest range for octopus in Registration Area E is XXX pounds;**

**(2) octopus may be retained as bycatch only in an amount not to exceed 20 percent, by weight, of the directed harvest aboard the vessel except that in a directed pot fishery for shrimp, octopus may be retained in an amount not to exceed 35 percent, by weight, of the shrimp aboard the vessel;**

**(3) when the guideline harvest level has been reached, the commissioner shall close, by emergency order, Area E to the retention of octopus;**

**(4) octopus retained for sale or for personal use shall be reported on a fish ticket as described in 5 AAC 39.130;**

**ISSUE:** Octopus is typically taken as bycatch to longline and pot fisheries for groundfish and shellfish. There is increasing interest in retaining octopus for both personal use and for sale as bait and food. Regulation 5 AAC 38.062 currently provides only for directed harvest of octopus under the terms of a commissioner's permit. However, most interest is in retention of octopus as incidental bycatch.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Octopus will remain closed to retention and there will be no reporting of octopus retained for bait or for personal use.

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

**WHO IS LIKELY TO BENEFIT?** Users with a valid commercial fishing CFEC permit will benefit by being able to retain octopus bycatch for personal use or for sale.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F11-297)  
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**PROPOSAL 369 - 5 AAC 38.215. Guideline harvest levels for clams in Registration Area E.**  
Repeal the reference to razor clam guideline harvest levels as follows:

**5 AAC 38.215. Guideline harvest levels for clams in Registration Area E. Repealed** [THE GUIDELINE HARVEST LEVEL FOR THE COMMERCIAL AND SUBSISTENCE TAKING OF RAZOR CLAMS FROM KANAK ISLAND IS 100,000 – 150,000 POUNDS.]

**ISSUE:** The GHLS referenced in regulation are outdated and unrealistic. There has been no commercial razor clam harvest in the Prince William Sound (PWS) Area since 1993. The department does not assess razor clams in the area. Any clams that are sold for human consumption may only be harvested from beaches certified by Alaska Department of Environmental Conservation (DEC). There are no beaches currently certified by DEC for commercial razor clam harvest in PWS. In addition to the decline in commercial interest, the number of subsistence razor clam permits issued for the Copper River Delta Area has declined, along with reported harvest. A companion proposal seeks to adopt a commissioner’s permit requirement for future clam fishery management.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Potential harvesters may be misled by the regulatory reference to GHLS.

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

**WHO IS LIKELY TO BENEFIT?** Both public and agency personnel will benefit by removing the misleading reference.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F11-298)  
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**PROPOSAL 370 - 5 AAC 38.206. Area E Registration.** Require a commissioner’s permit for commercial harvest of clams in the Prince William Sound Area as follows:

**5 AAC 38.206. Area E registration.**

(a) Notwithstanding 5 AAC 38.020(a)(1) Registration Area E is a separate registration area for all miscellaneous shellfish.

**(b) Notwithstanding 5AAC 38.062(a), a clam registration in Area E will be issued only under a commissioner's permit as specified in 5 AAC 38.062(b).**

**ISSUE:** There has been no commercial hardshell clam harvest in the PWS area since the 1970s and no commercial razor clam harvest since 1993. Current regulation has the season for clams and mussels open year-round. The department does not assess clam abundance in PWS. If interest in commercial clam harvests were to develop, the department would likely close the season until a suitable management plan could be developed. A commissioner's permit requirement would give the department additional tools beyond season and area to manage these undeveloped fisheries. The permit would allow collection of information and perhaps development of a management approach that could ultimately come before the Board of Fisheries for approval.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The fisheries could be closed given the lack of management tools.

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

**WHO IS LIKELY TO BENEFIT?** Users and the resource will benefit from a slower and information-driven approach to management development.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F11-299)  
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**PROPOSAL 371 - 5 AAC 77.553. Personal use shrimp fishery.** Extend the eastern boundary for the North Gulf Coast Personal Use Shrimp Fishery to Cape Fairfield as follows:

The eastern boundary for the North Gulf Coast will be Cape Fairfield.

**ISSUE:** Extend the eastern boundary for the North Gulf Coast Personal Use Shrimp Fishery to Cape Fairfield. (map on page 56 of 2010 South Central sport fish regulations).

**WHAT WILL HAPPEN IF NOTHING IS DONE?** North Gulf shrimp will be underutilized and harvest reporting will not be available as a tool for management. Personal use shrimp fishing east of Cape Fairfield has been in place for years.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** A harvest report filed by the personal use shrimp fishermen would provide information on stocks in the North Gulf Coast.

**WHO IS LIKELY TO BENEFIT?** Residents of Alaska.



WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Seward Fish and Game AC

(HQ-F11-002)

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**PROPOSAL 372 - 5 AAC 02.310. Subsistence miscellaneous shellfish fishery; 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet – Resurrection Bay Saltwater Area; and 5 AAC 77.518. Personal use clam fishery.** Reduce the bag limit for hardshell clams in Cook Inlet Area to 80 clams of any species as follows:

**5 AAC 02.310. Subsistence miscellaneous shellfish fishery.**

...

(b) In the subsistence taking of clams,

(2) there are no bag, possession, or size limits for clams, except that for **littleneck and butter clams the bag and possession limit is 80 of any species in combination and**

(A) littleneck clams the

(i) [BAG AND POSSESSION LIMIT IS 1,000 CLAMS; AND]

minimum legal size is one and one-half inches across the widest width of the shell;

(B) butter clams the

(i) [BAG AND POSSESSION LIMIT IS 700 CLAMS; AND]

minimum legal size is two and one-half inches across the widest width of the shell.

**5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet - Resurrection Bay Saltwater Area.**

...

(12) littleneck clams **and butter clams**: may be taken from January 1 - December 31; **with a combined** bag and possession limit of **80** [1,000] clams; minimum size **for littleneck clams** is one and one-half inches in length across the widest part of the shell; **minimum size for butter clams is two and one-half inches in length across the widest part of the shell;**

(13) **repealed** [BUTTER CLAMS: MAY BE TAKEN FROM JANUARY 1 - DECEMBER 31; BAG AND POSSESSION LIMIT OF 700 CLAMS; MINIMUM SIZE IS TWO AND ONE-HALF INCHES IN LENGTH ACROSS THE WIDEST PART OF THE SHELL;]

**5 AAC 77.518. Personal use clam fishery.**

...

(2)(B) the **combined** bag and possession limit for littleneck clams **and butter clams** is **80** [1,000] and the minimum size **for littleneck clams** is 1.5 inches in length **across the widest part of the shell; minimum size for butter clams is two and one-half inches in length across the widest part of the shell;** and

(2)(C) **repealed** [THE BAG AND POSSESSION LIMIT FOR BUTTER CLAMS IS 700 AND THE MINIMUM SIZE IS 2.5 INCHES IN LENGTH.]

**ISSUE:** Department surveys indicate a decline in hardshell clam abundance in Kachemak Bay. Specifically, survey data for Jakolof Bay show littleneck clam density has declined from 21 clams per square meter in 2001 to three clams per square meter in 2010. Similarly, butter clam density declined from three clams per square meter to one clam per square meter over the same time period. Hardshell clam densities have also shown a decline in other monitored areas of Kachemak Bay. It is necessary to reduce the current bag limits of 1,000 littleneck and 700 butter clams to reflect current levels of abundance; current limits were established when abundance was high and were set only to allow enforcement to discern commercial from noncommercial harvesters. A bag limit of 80 clams of both species combined still provides for the regulatory amount reasonably necessary for subsistence uses of 6,800 to 10,200 pounds of hardshell clams.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Sustainability of the stock will be at risk.

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

**WHO IS LIKELY TO BENEFIT?** The public will benefit by adoption of a clam limit that provides opportunity while protecting the reproductive potential of the resource to allow for abundance to increase.

**WHO IS LIKELY TO SUFFER?** In the short term, users who harvest only several times a year may suffer.

**OTHER SOLUTIONS CONSIDERED?** Differing bag limits of between 60 and 100 per day.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F11-301)  
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**PROPOSAL 373 - 5 AAC 02.310. Subsistence miscellaneous shellfish fishery.** Re-establish Tyonek Subsistence area as follows:

Re-establish the Tyonek Subsistence Area 2 miles adjacent to the North side of Polly Creek.

**ISSUE:** Depletion of clams in this area.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** For the past few years, the area was depleted of the natural stock. Our people using the area have been returning with little or no clams and the ones they got were very immature and small.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** This will help prevent the area from being depleted again so subsistence needs can be met.

**WHO IS LIKELY TO BENEFIT?** Users

**WHO IS LIKELY TO SUFFER?** Clams.

**OTHER SOLUTIONS CONSIDERED?** Permanent prohibition of dredging.

**PROPOSED BY:** Tyonek Fish & Game Advisory Committee

(HQ-F11-069, previously SC-10F-003)

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**PROPOSAL 374 - 5 AAC 75.XXX. Closed Waters and Prohibited Acts; 5 AAC 77.XXX. Methods, Means, and General Restrictions and; 5 AAC 02.XXX. Methods, Means, and General Restrictions.** Clarify restriction on use of sport, personal, or subsistence-caught shellfish by owner, operator, or employee of a lodge, charter vessel, or other enterprise that furnishes food, lodging, or sport fishing guide services as follows:

The owner, operator, or employee of a lodge, charter vessel, or other enterprise that furnishes food, lodging, or sport fishing guide services may not furnish to a client or guest of that enterprise, shellfish, unless the

- (1) shellfish has been taken with gear deployed and retrieved by the client or guest;
- (2) gear has been marked with the client's or guest's name and address, as specified in 5 AAC **75.035(1)**, 5 AAC 77.010(d), and 5 AAC 02.010 (e)(1) by the client.
- (3) shellfish is to be consumed by the client or guest or is consumed in the presence of the client or guest.

The captain and crew members of a charter vessel may not deploy, set, or retrieve their own gear in a sport, personal use, or subsistence shellfish fishery when that vessel is being chartered.

**ISSUE:** Charter boat operators and crew who pull their own sport, personal use, or subsistence shellfish pots and provide shellfish to paying clients are engaging in unlawful commercial fishing. Regulations in southeast Alaska clearly prohibit this practice. Regulations for areas outside of southeast Alaska, are not clearly stated that prohibit charter boats and lodges from setting and retrieving their own shellfish pots and supplying their customers with fresh shellfish. Therefore the illegal commercial use of sport, personal or subsistence caught shellfish is occurring and clarity in regulation is needed. This prohibition is needed on a statewide basis.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Difficulties will continue with enforcement of illegal commercial sale of sport, personal use and subsistence caught shellfish. Fishery management restrictions could result sooner because commercial activities increase harvests.

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

**WHO IS LIKELY TO BENEFIT?** The shellfish resources of Alaska and users.

**WHO IS LIKELY TO SUFFER?** Lodge owners, operators, and employees, charter vessel owners and operators may not operate their own shellfish gear when paying clients are present.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Public Safety (HQ-F11-323)  
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**PROPOSAL 375 - 5 AAC 39.145(4). Escape mechanism for shellfish and bottomfish pots.** Require that commercial shellfish pots constructed with rigid mesh have a biodegradable escape mechanism identical to that required for subsistence, personal use, and sport shellfish pots as follows:

**5 AAC 39.145. Escape mechanism for shellfish and bottomfish pots.**

(4) [BEGINNING JANUARY 1, 2007,] all **commercial**, subsistence, personal use, and sport shellfish pots constructed with rigid mesh must have at least one rectangular opening in a sidewall of the pot.

**ISSUE:** Currently, there is no biodegradable escape mechanism defined for commercial shellfish pots constructed of rigid mesh. Although the regulation applying to subsistence, personal use, and sport shellfish pots constructed of rigid mesh provides guidance on how the mechanism should be constructed, there is no requirement that commercial shellfish pot gear adhere to this description.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** If nothing is done, commercial fishermen using shellfish pots constructed of rigid mesh will lack guidance on how to comply with the biodegradable escape mechanism requirement. It is possible that some pots will lack any escape mechanism which could result in lost and derelict gear continuing to trap marine species.

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

**WHO IS LIKELY TO BENEFIT?** The resource and resource users will benefit from rigid mesh pots that are properly rigged with a biodegradable escape mechanism and from a clear understanding of the requirement in regulation.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F11-300)  
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**PROPOSAL 376 - 5 AAC 75.XXX. New Regulation.** Clarify regulations regarding use of hook and line when taking octopus as follows:

Clarify the use of hook and line gear as a legal means of taking octopus to allow harvest of the current incidental catch by anglers targeting other species.

**ISSUE:** Statewide sport fishing gear regulations do not clarify whether hook and line gear may be used to take octopus.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** A relatively small potential harvest of octopus will be foregone by anglers who occasionally catch octopus on hook and line gear while attempting to take other species.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** This proposal will help prevent wastage of any mortally hooked octopus that would otherwise have to be released.

**WHO IS LIKELY TO BENEFIT?** Anglers who prefer to harvest octopus when incidentally caught on hook and line gear.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** John T. Parker Sr. (HQ-F11-105)

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**PROPOSAL 377 - 5 AAC 32.XXX. New Regulation.** Establish a sustainable Dungeness crab policy as follows:

A Sustainable Dungeness Crab Policy similar to the king crab, tanner crab management plan or the Sustainable Salmon Policy is needed for Dungeness Crab to have guiding principles to minimize repeating past management strategies that inadvertently lead to closed fisheries and depleted stocks that are not sustainable.

**ISSUE:** Please create a Sustainable Dungeness Crab Policy that establishes a comprehensive framework or checklist to provide guiding safeguards for sustainability of Dungeness fisheries into the future.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Closed fisheries and depleted stocks that are not sustainable.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, if this policy also includes quality issues pertaining to these fisheries.

**WHO IS LIKELY TO BENEFIT?** Fishermen into the future who promote sustainable fisheries.

**WHO IS LIKELY TO SUFFER?** Those who promote non sustainable fisheries without looking at a larger picture.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Pioneer Alaskan Fisheries Inc. (HQ-F11-343)  
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**PROPOSAL 378 - 5 AAC 31.XXX. New Regulation.** Establish a sustainable all species shrimp policy as follows:

A Sustainable All Species Shrimp Policy similar to the king crab, tanner crab management plan or the Sustainable Salmon Policy is needed for all species of shrimp to have guiding principles to minimize repeating past management strategies that inadvertently lead to closed fisheries and depleted stocks that are not sustainable.

**ISSUE:** Please create a Sustainable All Species Shrimp Policy that establishes a comprehensive framework or checklist to provide guiding safeguards for sustainability of Shrimp fisheries into the future.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Closed fisheries and depleted stocks that are not sustainable.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, if this policy also includes quality issues pertaining to these fisheries.

**WHO IS LIKELY TO BENEFIT?** Fishermen into the future who promote sustainable fisheries.

**WHO IS LIKELY TO SUFFER?** Those who promote non sustainable fisheries without looking at a larger picture.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Pioneer Alaskan Fisheries Inc. (HQ-F11-344)  
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**PROPOSAL 379 - 5 AAC 38.XXX. New Regulation.** Establish a sustainable miscellaneous shellfish policy as follows:

A Sustainable miscellaneous shellfish Policy similar to the king crab, tanner crab management plan or the Sustainable Salmon Policy is needed for miscellaneous shellfish to have guiding principles to minimize repeating past management strategies that inadvertently lead to closed fisheries and depleted stocks that are not sustainable.

**ISSUE:** Please create a Sustainable Miscellaneous Shellfish Policy that establishes a comprehensive framework or checklist to provide guiding safeguards for sustainability of miscellaneous shellfish fisheries into the future.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Closed fisheries and depleted stocks that are not sustainable.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, if this policy also includes quality issues pertaining to these fisheries.

**WHO IS LIKELY TO BENEFIT?** Fishermen into the future who promote sustainable fisheries.

**WHO IS LIKELY TO SUFFER?** Those who promote non sustainable fisheries without looking at a larger picture.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Pioneer Alaskan Fisheries Inc. (HQ-F11-345)  
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