

FP05-27 Executive Summary	
General Description	Remove annual harvest limit & prohibition on retaining incidentally-caught trout or sockeye salmon. (Originator: Southeast Regional Advisory Council)
Proposed Regulation	<p>Southeastern Alaska Area – Coho Salmon</p> <p>§ __.27(I)(13)(v) In the Southeastern Alaska Area, except for Sections 3A, 3B, and 3C and the Stikine and Taku Rivers, you may take coho salmon under the terms of a subsistence fishing permit except in the Stikine and Taku Rivers. There is no closed season. The daily harvest limit is 20 coho salmon per household, and the annual limit is 40 coho salmon per household. Only dipnets, spears, gaffs, and rod and reel may be used. Bait may only be used from September 15 through November 15. You may not retain incidentally caught trout and sockeye salmon unless taken by gaff or spear.</p> <p>§ __.27(I)(13)(vi) You may take coho salmon in Subdistricts 3(A), (B), and (C) only under the terms of a Federal subsistence fishing permit. There is no closed season. The daily harvest limit is 20 fish per household. Only spears, dipnet, and rod and reel may be used. Bait may be used only from September 15 through November 15.</p>
Region 1 - Southeast Regional Council Recommendation	Support.
Interagency Staff Committee Recommendation	Support.
ADF&G Comments	The Federal Subsistence Board meeting book is being published prior to development of final recommendations and comments by the Alaska Department of Fish and Game. This information will be available on the Department's website by January 4, 2005. See the ADF&G homepage, under the headings of "highlights" and "regulations", at http://www.adfg.state.ak.us . For those without computer access, please call 1-907- 267-2360 for further information.
Written Public Comments	None.

REGIONAL ADVISORY COUNCIL RECOMMENDATIONS

SOUTHEAST REGIONAL COUNCIL

Support the proposal. This proposal does not raise conservation concerns. The staff analysis supports this regulatory change. It may help subsistence users by clarifying and simplifying regulations. We do not believe that adoption will affect non-subsistence users.

INTERAGENCY STAFF COMMITTEE RECOMMENDATION

Support the proposal, consistent with the recommendation of the Southeast Regional Advisory Council.

Justification

In the two years during which current regulations have been in effect, subsistence fishers in the Southeast Alaska region have not reported any coho salmon harvested under Federal subsistence fishing regulations outside of Prince of Wales Island. If adopted, this proposal would benefit subsistence users by standardizing Federal subsistence fishing regulations. The proposed regulation does not raise any conservation issues at this time. Any concerns that may arise in the future can be addressed via specific conditions stipulated on the required subsistence fishing permit.

COMMENTS

ADF&G

The Federal Subsistence Board meeting book is being published prior to development of final recommendations and comments by the Alaska Department of Fish and Game. This information will be available on the Department's website by January 4, 2005. See the ADF&G homepage, under the headings of "highlights" and "regulations", at <http://www.adfg.state.ak.us>. For those without computer access, please call 1-907- 267-2360 for further information.

PUBLIC

None.

STAFF ANALYSIS FP05-27

ISSUES

Proposal FP05-27, submitted by the Southeast Alaska Subsistence Regional Advisory Council, addresses the area's Federal subsistence coho salmon fishery. If adopted, this proposal would remove the annual harvest limit for coho salmon and delete the prohibition on retaining incidentally-caught trout and sockeye salmon in the Southeastern Alaska Area, other than Sections 3-A, 3-B and 3-C while fishing for coho salmon.

The intent of this proposal is to standardize the Federal regulations for subsistence coho salmon fishing in Southeast Alaska. There is no restriction on incidental harvest of other species while targeting coho salmon in Sections 3-A, 3-B and 3-C and there have been no enforcement or conservation concerns identified with that fishery. Removing the prohibition on incidental harvest of other species in the Federal subsistence coho fishery would align State and Federal regulations. Proposal FP05-22 (recommend oppose) provides a general restriction to incidental harvest and Proposal FP05-23 (recommend support) provides a two fish incidental harvest level for Chinook salmon. Removing the annual harvest limit from the Federal subsistence fishery would provide for a single Federal subsistence coho fishing regulation but would not align Federal and State regulations because State regulations specify a 40 coho annual harvest cap.

DISCUSSION

Existing Federal Regulation

§ __.27(I)(13)(v) In the Southeastern Alaska Area, except for sections 3A, 3B, and 3C and the Stikine and Taku Rivers, you may take coho salmon under the terms of a subsistence fishing permit. There is no closed season. The daily harvest limit is 20 coho salmon per household, and the annual limit is 40 coho salmon per household. Only dipnets, spears, gaffs, and rod and reel may be used. Bait may only be used from September 15 through November 15. You may not retain incidentally caught trout and sockeye salmon unless taken by gaff or spear.

(vi) You may take coho salmon in Subdistricts 3(A), (B), and (C) only under the terms of a Federal subsistence fishing permit. There is no closed season. The daily harvest limit is 20 fish per household. Only spears, dip net, and rod and reel may be used. Bait may be used only from September 15 through November 15.

Proposed Federal Regulation

§ __.27(I)(13)(v) ~~In the Southeastern Alaska Area, except for Sections 3A, 3B, and 3C and the Stikine and Taku Rivers,~~ You may take coho salmon under the terms of a subsistence fishing permit except in the Stikine and Taku Rivers. There is no closed season. The daily harvest limit is 20 coho salmon per household, ~~and the annual limit is 40 coho salmon per household.~~ Only dipnets, spears, gaffs, and rod and reel may be used. Bait may only

be used from September 15 through November 15. You may not retain incidentally caught trout and sockeye salmon unless taken by gaff or spear.

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Extent of Federal Public Waters

This regulation, if adopted, would apply to all Federal public waters in the Southeastern Alaska Area, between a line projecting southwest from the westernmost tip of Cape Fairweather and Dixon Entrance. However, subsistence uses are not permitted in the following National Park Service waters: Glacier Bay National Park, Klondike Gold Rush National Historical Park and Sitka National Historical Park.

Note: For purposes of this discussion, the phrase “Federal public waters” is defined as those waters described under 50 CFR 100.3(b).

Customary and Traditional Use Determinations

Customary and Traditional Use Determinations for the Southeastern Alaska Area apply and are listed in Appendix A at the end of the Fisheries Regulatory Review and Recommendation section.

Regulatory History

Regulatory restrictions governing the harvest of coho salmon in Sections 3-A, 3-B and 3-C (the west coast of Prince of Wales Island) were in effect during the 2001 fishing season. The subsequent year, the 2002 season, similar regulations were adopted for the remainder of the Southeastern Alaska Area. Neither of the coho salmon subsistence fishing regulations restricted open areas or provided for a closed season but they did severely restrict allowable gear by specifying only spears, gaffs, dipnets and rod and reel. A prohibition on the retention of sockeye and trout was applied to all areas except Sections 3-A, 3-B and 3-C due to concerns expressed by the Alaska Department of Fish and Game (ADF&G) concerning the lack of a fishing season and the use of rod and reel.

There are specific harvest limits for sockeye in only the mainstem of the Stikine River and six stream systems in the Southeastern Alaska Area (Salmon Bay, Virginia Lake, Thoms Creek, Falls Lake, Gut Bay and Pillar Bay) in Federal regulations. There are no specific restrictions on gear, season and harvest levels for all other sockeye systems or any chum or pink systems. There is no cap on the incidental harvest of any species while fishing for sockeye, pink or chum salmon (including coho and Chinook).

The State adopted subsistence coho fishing regulations effective in the 2003 season. These regulations were valid in both freshwater and marine waters and generally allowed the use of gillnets, seines, dipnets, spears, and gaffs. The season opening date was August 15 but there was

no restriction on the incidental harvest of other salmon or trout. State sport fishing regulations provide for the retention of two Chinook (marine waters only), six coho, six sockeye, six chum, six pink salmon, ten Dolly Varden char and two trout (between 11- and 22-inches). State personal use fishing regulations prohibit the directed harvest of Chinook or coho but allow the same gear as the subsistence fishery. The incidental harvest limit for coho in the personal use fishery is six coho salmon.

Current Events Involving the Species

The Federal subsistence fishing regulations for coho salmon were unchanged in 2004. The Pacific Salmon Commission on April 9, 2004, did not authorize a Federal subsistence coho salmon fishery on the Stikine River.

Biological Background

With few exceptions, the abundance of all species of salmon in the Southeastern Alaska Area is at healthy levels and support significant commercial, sport and subsistence fisheries.

Harvest History

The Federal subsistence salmon harvest in the Southeastern Alaska Area is closely monitored with almost 100 percent of subsistence permits returned to the USDA Forest Service. Harvest patterns in 2002 and 2003 were very similar. All of the coho salmon harvested from Southeast Alaska were taken from Prince of Wales Island in both 2002 and 2003. There were only seven sockeye taken from Sections 3-A, 3-B and 3-C in 2002 and no sockeye were taken from these Sections in 2003. There were no trout reported on Federal permits, (other than the directed steelhead fishery on Prince of Wales Island), from Southeast Alaska in either year. During the 2003 season, there were no Chinook, 21 sockeye, 206 coho, 13 pink and no chum reported by permit in the Federal subsistence fishery (**Table 1**).

During 2003, the first year of the State's subsistence coho fishery, there were 185 Chinook, 46,829 sockeye, 874 coho, 2,787 pink and 3,125 chum salmon taken during the subsistence (hatchery areas excluded) fishery from streams throughout Southeast Alaska (ADF&G 2004).

Table 1. Federal Subsistence Salmon Harvest, Southeastern Alaska Area

2002					
Area	Sockeye	Coho	Pink	Chum	
Section 3-A, 3-B, 3-C	7	333	0	0	
Remainder of Prince of Wales	38	63	11	0	
Remainder of Southeast Area	124	0	0	4	
Total Southeast Alaska Area	169	396	11	4	

2003					
Area	Sockeye	Coho	Pink	Chum	
Section 3-A, 3-B, 3-C	0	142	10	0	
Remainder of Prince of Wales	10	64	3	0	
Remainder of Southeast Area	11	0	0	0	
Total Southeast Alaska Area	21	206	13	0	

Effects of the Proposal

This change would streamline Federal regulations and provide users with consistent regulations for the harvest of coho salmon in the Southeastern Alaska Area this would include the use of gaffs in Sections 3-A, 3-B, and 3-C. This proposed regulation would not change recent harvest practices nor will it affect conservation of any species. The proposal would not align Federal and State regulations regarding the annual harvest limit as specified in State regulations.

LITERATURE CITED

ADF&G 2004. Subsistence and personal use database updated May 2004.