

97-170.1-FB

Paul Shadura

JOINT PROTOCOL
BETWEEN
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL (NPFMC)
ANCHORAGE, ALASKA
and
ALASKA BOARD OF FISHERIES (BOF)
JUNEAU, ALASKA
ON
MANAGEMENT OF FISHERIES
OFF ALASKA

Recognizing that NPFMC has a legal responsibility for reviewing and recommending to the Secretary of Commerce measures for the conservation and management of the fisheries of the Arctic Ocean, Bering Sea, and Pacific Ocean seaward of Alaska, with particular emphasis on the consistency of those measures with the National Standards of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act); and

Recognizing that the State of Alaska has a legal responsibility for conservation and management of fisheries within State waters; and further, that the State system centers around BOF policy, regulations, and procedures which provide for extensive public input; is sufficiently structured to ensure annual revisions; is flexible enough to accommodate resource and resource utilization emergencies; and is understood and familiar to the users of North Pacific fisheries resources; and

Recognizing that many of the fish populations in the Gulf of Alaska and the Bering Sea and Aleutian Islands migrate freely between or spend some of the year in both Federal and State waters; and

Recognizing that State and Federal governmental agencies are limited in fiscal resources, and that the optimal use of these monies for North Pacific fisheries management, research, and enforcement occurs through a clear definition of agency roles and division of responsibilities.

Therefore, NPFMC and BOF enter into this Joint Protocol to achieve coordinated, compatible, and sustainable management of fisheries within each organization's jurisdiction in the Gulf of Alaska and the Bering Sea and Aleutians.

I. Applicable Fisheries

This Joint Protocol applies to all fisheries off Alaska of mutual concern.

II. Duration of the Agreement

This agreement shall be reviewed by both NPFMC and the BOF and revised as necessary.

III. NPFMC and BOF shall undertake the following activities:

- A. NPFMC and BOF shall jointly agree upon and implement an annual management cycle that provides for coordinated, compatible, and sustainable fisheries management in State and Federal waters. Management measures shall be consistent with the national standards of the Magnuson-Stevens Act, with the laws of the State of Alaska, and with all other applicable laws.

WHO IS LIKELY TO SUFFER? Drift fishermen in Upper Cook Inlet.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Alberta Stephan (HQ-10F-144)

PROPOSAL 115 - 5 AAC 21.331. Gillnet specifications and operations. Ban use of monofilament salmon web in Cook Inlet as follows:

A subsection would read that monofilament salmon web shall not be allowed in the waters of Cook Inlet.

ISSUE: Monofilament mesh web.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued use of poor unselective and wasteful fishing gear.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, less dropouts and less "girdled" or "cut" fish.

WHO IS LIKELY TO BENEFIT? The resource.

WHO IS LIKELY TO SUFFER? Those that do not want to consider detrimental effects.

OTHER SOLUTIONS CONSIDERED? No other solutions.

PROPOSED BY: South K-Beach Independent Fishermen (HQ-10F-221)

PROPOSAL 116 - 5 AAC 21.331. Gillnet specifications and operations. Reduce mesh depth in the Central District as follows:

Require the use of shallower set gill nets in the waters along the east coast in the Central District in order to reduce chinook harvest:

(d) (3) in waters along the east coast in the central district, a set gillnet may not be more than 29 meshes in depth.

WHAT WILL HAPPEN IF NOTHING IS DONE? The Kenai River Late-run King Salmon Management Plan (5 AAC 21.359) directs the department to manage late-run Kenai River chinook salmon primarily for sport and guided sport uses. Current economic information also highlights the very high value of these kings in the sport fishery. Despite this priority, the east side setnet commercial fishery continues to harvest a disproportionately large share of the harvest (more than 50% in some years). At the same time, Kasilof late-run kings have been

Alaska Board of Fisheries
Committee Report

COMMITTEE A
Subsistence and Commercial Fishing

February 23, 2011

Board Committee Members:

1. Mike Smith, *Chair
2. Mel Morris
3. Tom Kluberton

Alaska Department of Fish and Game Staff Members:

1. Jeff Fox, Area Manager, Division of Commercial Fisheries
2. Pat Shields, Asst. Area Manager, Division of Commercial Fisheries
3. Mark Willette, Area Research Biologist, Division of Commercial Fisheries
4. Tracy Lingnau, Regional Mgmt. Coordinator, Division of Commercial Fisheries
5. Tim McKinley, Area Research Biologist, Division of Sport Fisheries
6. Sam Ivey, Acting Area Manager, Division of Sport Fisheries
7. Tony Eskelin, Fisheries Biologist, Division of Sport Fisheries
8. Greg Buck, Fisheries Biologist, Division of Commercial Fisheries
9. Bob DeCino, Asst. Area Research Biologist, Division of Commercial Fisheries
10. Davin Holen, Regional Program Manager, Division of Subsistence
11. Samantha Oslund, Fisheries Biologist, Division of Sport Fisheries
12. Jim Fall, Statewide Program Manager, Division of Subsistence
13. Lisa Olson, Acting Deputy Director, Division of Subsistence
14. Sue Aspelund, Deputy Director, Division of Commercial Fisheries
15. Lance Nelson, Department of Law
16. Bob Clark, Fisheries Scientist, Division of Sport Fisheries
17. Jim Hasbrouck, Regional Supervisor, Division of Sport Fisheries

Alaska Department of Law Staff Members:

1. Lance Nelson, Senior Assistant Attorney General, Department of Law

Advisory Committee Members:

1. Andrew Couch, Matanuska Valley/ AC
2. Norm Darch, Kenai/Soldotna AC
3. Joel Doner, Anchorage AC
4. Frank Standifer, Tyonek AC
5. David Martin, Central Peninsula AC
6. Steve Runyan, Susitna Valley AC
7. Tom Payton, Mount Yenlo AC

PROPOSAL 115 - 5 AAC 21.331. Gillnet specifications and operations. Ban the use of monofilament salmon web in Cook Inlet.

Narrative of Support and Opposition:

Department:

- None.

Department of Law:

- None.

Support:

- Monofilament is wasteful; leads to poor fish quality.
- May be problems catching seabirds and marine mammals.
- There tends to be more dropouts using monofilament gear.
- Could be allocative and is not used anywhere else used in the state.

Opposition:

- Costly to replace monofilament gillnets.
- Financial burden on those that have switched to monofilament.
- Monofilament is easier to clean than multifilament gillnet.

General:

- Discussion regarding economics, ease of use, quality of catch, lack of federal regulations.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

ALASKA BOARD OF FISHERIES
Upper Cook Inlet Finfish
February 20 - March 5, 2011
Anchorage, Alaska

Preliminary Summary

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

- | | | |
|-----|-----|--|
| C/A | 21 | Decrease bag limit to 2 coho salmon in West Cook Inlet. (<i>Specified that if retention is permitted, a coho salmon removed from the water must be retained and becomes part of the bag limit, and that a person may not remove a coho salmon from the water before releasing the fish.</i>) |
| C | 22 | Increase bag and possession limit to 3 coho salmon in West Cook Inlet Area. |
| NA | 23 | Increase bag and possession limit to 3 coho salmon in the Kenai Peninsula Area. |
| F | 102 | Modify gear for subsistence fishing in Tyonek Subdistrict. (<i>Note, the board updated its customary and traditional finding for the Tyonek Subdistrict. See Proposal F.</i>) |
| C/A | 103 | Modify the amount necessary for subsistence (ANS) for the Skwentna River. (<i>Specified that 400 - 700 salmon, except king salmon, are reasonably necessary for subsistence uses in the Yentna River drainage.</i>) |
| NA | 104 | Mirror east side salmon escapement corridor in the Central District open. |
| F | 105 | Allow for earlier harvest of Kasilof sockeye. |
| NA | 106 | Allow for earlier harvest of Kasilof sockeye. |
| NA | 107 | Allow for earlier harvest of Kasilof sockeye. |
| NA | 108 | Extend the commercial fishing season. |
| NA | 109 | Revise opening and closing dates for the Upper Subdistrict of the Kenai River. |
| NA | 110 | Amend set net fishing to close by emergency order. |
| F | 111 | Extend closure time by three hours in the Central District. |
| NA | 112 | Modify the weekly fishing periods in Upper Cook Inlet. |
| NA | 113 | Require removal of gear during closures. |
| NA | 114 | Close fishing on Saturdays and Sundays in Upper Cook Inlet. |
| F | 115 | Ban use of monofilament salmon web in Cook Inlet. |
| F | 116 | Reduce mesh depth in the Central District. |
| C/A | 117 | Modify amount of gear used by CFEC permit holder. (<i>Specified that a CFEC permit holder who holds two Cook Inlet set gillnet permits may operate an aggregate length of set gillnets not to exceed 210 fathoms.</i>) |
| NA | 118 | Revise gear limitations when fishing two permits in Cook Inlet. |
| F | 119 | Allow the use of dual drift gillnet permits. |

C = Carried; C/A = Carried as amended; F = Failed; NA = No action



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Reduction of seabird mortality in gill nets

PI Name: Peter H. Darna
Project #: 99-FEG-07
Region: Pamlico
Category: Fisheries , Fisheries Equipment & Gear
State Funding: \$11,225.00

Download 99FEG07.PDF**Summary:**

This project attempted to prove that multifilament (multi-strand) gill nets would catch fewer seabirds than monofilament gill nets. The hypothesis was that multifilament gill nets, which are visible under water, would reduce bird bycatch by reducing the catch of the menhaden that attract them.

Hurricanes Floyd and Dennis delayed the project from the original start date of Nov. 1, 1999 to Jan.1, 2000. The test period lasted until Aug.1, 2000.

Five 100-yard stretches of multifilament net and five 100-yard stretches of monofilament net were set at locations in the Pamlico Sound and the Neuse River. Nets were the same mesh sizes and were set at the same depths.

The nets were picked up each weekday morning and were reset immediately. Each day the following information was recorded: locations of the nets; number of menhaden in each net; number, total length, and species of salable fish gilled in each net; and number, species and condition of birds in each net.

A total of 2,927 fish were caught with the monofilament net. Of these, 1,972 were menhaden. In multifilament nets, 1,050 fish were caught, 570 of which were menhaden.

In the monofilament net, 107 birds were caught, 58 of which were released alive. Only two seabirds were caught with the multifilament, and both were released alive. Researchers speculate that the storms may have resulted in a significant reduction in the number of seabirds in the area during the seven-month study. While the results suggest that multifilament nets catch fewer menhaden and therefore entangle fewer seabirds than monofilament, researchers say the study is inconclusive because of the storm-related reduction of birds in the area.



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Reduction of Seabird Bycatch in Salmon Drift....

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GRANT NUMBER: NA56FD0618

NMFS NUMBER: 95-NWR-025

REPORT TITLE: Reduction of Seabird Bycatch in Salmon Drift Gillnet Fisheries

AUTHOR: Melvin, Edward F.; Conquest, Loveday L. and Parrish, Julie K.

PUBLISH DATE: June 15, 1997

AVAILABLE FROM: National Marine Fisheries Service, Northwest Region, 7600 Sand Point Way, NE, BIN C15700, Bldg. 1, Seattle, WA 98115. PHONE: (206) 526-6117

ABSTRACT

We compared entanglement rates of seabirds and marine mammals and catch rates of salmon among up to three experimental gear treatments and a control (nylon monofilament netting) and among three time-of-day categories in two Washington non-treaty salmon fisheries: the 1996 sockeye fishery in Management Area 7, the San Juan Islands vicinity of North Puget Sound, and the 1995 fall chum fishery in Management Area 10, South Puget Sound. Results of this study identify three basic tools that can be used to reduce seabird bycatch in these fisheries: abundance based or ecosystem management, traditional monofilament nets modified to include a 20 Mesh visual barrier, and time-of-day. Management recommendations were developed to reduce seabird bycatch in drift gillnet fisheries through institutional and fishery changes. For the first time tools have been developed and implemented to reduce seabird bycatch in nearshore gillnet fisheries.

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NOAA Fisheries, 1315 East West Highway, SSMC3, Silver Spring, MD 20910

EXECUTIVE SUMMARY

Destructive fishing practices are destroying large portions of our oceans and the life within them. "Wasted Catch and the Destruction of Ocean Life" highlights one particularly devastating problem called bycatch, or wasted catch — the unintended catch and subsequent destruction of unwanted fish and other marine life as a byproduct of fishing practices.

Protecting the world's oceans should start here in the United States, where fishing nets strangle, drown, and crush billions of fish, and thousands of sea turtles, whales, dolphins, sharks, and seabirds. Other gears, such as bottom trawls, bulldoze the ocean floor in search of fish, scraping up virtually everything in their path.

But the problem is not unique to the U.S. **Around the world each year an estimated 44 billion pounds of fish are wasted – 25 percent of the entire world catch. Tens of thousands of marine mammals, birds, corals, and other forms of ocean life are also caught and discarded. This massive destruction of sea life puts our oceans at risk, and with them our food supplies, our coastal economies, and even ourselves.**

Unfortunately, the U.S. government fails to carry out laws already on the books to help protect disappearing ocean wildlife and to reduce the numbers of marine animals caught unintentionally during fishing. In particular, the National Marine Fisheries Service (NMFS), the lead federal agency charged with monitoring and reducing bycatch, has failed to bring the nation's fisheries into compliance with federal laws years after Congress passed the law requiring action, and three years after the agency issued a report highlighting the problem. As a result, **Oceana has filed a formal petition to force the agency to fulfill its duties under current U.S. laws that require it to halt waste and mismanagement of our oceans.**

This report by Oceana shows an in-depth analysis of NMFS' most important study of this problem, "Managing the Nation's Bycatch." The study shows a huge gap between the size of the problem on the one hand, and the amount of information NMFS has gathered and the

actions it has taken, on the other. Although this 1998 report reveals only the tip of the iceberg, it makes clear the nation's fisheries management plans are not adequate either to monitor the extent of wasted catch or to reduce it. Bycatch has devastated species and ecosystems all over the country – from groundfish in New England, to sea turtles and sawfish in the Gulf of Mexico, to seabirds and deepwater corals in Alaska.

NMFS has done almost nothing to force those responsible, primarily the regional fisheries management councils, to bring their plans into compliance. NMFS has repeatedly approved fishery management plans that fail to adequately address the bycatch problem, and has taken little action to improve the vast majority of out-of-compliance fisheries. When the agency does act, it usually does so only under court order. Similarly, the agency has been slow to enforce the necessary safeguards needed for species protected under the Endangered Species Act and Migratory Bird Treaty Act, such as sea turtles and albatrosses.

Congress has established goals for reducing bycatch of marine mammals to "levels approaching zero." Wasted catch of other forms of marine life also puts our oceans and our circle of life at risk. The government must set similar aggressive bycatch reduction goals for all marine resources, including fish.

Oceana calls on NMFS and Congress to immediately implement the following five critical measures to end wasteful fishing practices, to protect ocean life and habitat.

COUNT: Require adequate numbers of observers on fishing vessels to obtain better data on bycatch.

CAP: Improve fisheries management plans by including mortality from bycatch in estimates of total mortality, and also require hard caps on total fish mortality and bycatch mortality for all fisheries.

CONTROL: Develop, approve and implement bycatch assessment and reduction plans before allowing fishing.

Rc 257

Gross Evidence of Human-Induced Mortality in Small Cetaceans

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**NOAA Technical Memorandum
NMFS-OPR-15
July 2000**



**U.S. Department of Commerce
Norman Y. Mineta, Secretary**

**National Oceanic and Atmospheric Administration
D. James Baker, Under Secretary for Oceans and Atmosphere**

**National Marine Fisheries Service
Penelope D. Dalton, Assistant Administrator for Fisheries**

Submitted by KPFA

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1.0 INTRODUCTION

One can document evidence of anthropogenic trauma such as entanglement in fishing gear, vessel collisions, and gunshot wounds by careful evaluation of stranded marine mammals. Identification of such human-induced mortality and serious injury is an important function of the regional marine mammal stranding networks. Currently, several reference manuals exist to assist marine mammal network members in responding to stranding events, perform necropsies, and collect samples (Bonde et al., 1983; Hare and Mead, 1987; Geraci and Lounsbury, 1993). However without proper training and experience, it can be difficult to identify some of the more subtle indications of anthropogenic trauma. **This manual was designed to assist marine mammal researchers and stranding network members in the identification of evidence of adverse human interactions impacting stranded small cetaceans.**

Careful documentation of entanglement, gunshot wounds, vessel collisions, and blast injury may facilitate in the determination of a cause of death of a stranded small cetacea (i.e., dolphins or porpoises). Determining the cause of death is often difficult because postmortem autolysis or scavenger damage may obscure the physical evidence of these interactions. Therefore, it is critical to establish physical criteria diagnostic of various sources of mortality (Garcia-Hartmann et al., 1996; Kuiken, 1996). Such observations complement other methods of post-mortem examination, such as gross pathology and histopathology.

Based on our extensive experience examining many injured dolphins and porpoises and on the observations from our colleagues, we have described in detail the gross evidence associated with fishing gear entanglement, gunshot wounds, vessel collisions, and blast injury. **It is our hope that this report will assist marine mammal researchers and stranding network members with distinguishing between fatal injury due to human activities from those of natural causes.**

To this end, we have restricted our observations to gross evidence that can be documented by field workers familiar with basic marine mammal anatomy, but without any special knowledge of pathology.

We have presented this information in three sections:

- Physical evidence associated with entanglement in fishing gear
- Physical evidence associated with other forms of human activity
- Procedures for examination of stranded small cetaceans and data documentation

2.0 PHYSICAL EVIDENCE ASSOCIATED WITH ENTANGLEMENT IN FISHING GEAR

Entanglement in fishing gear is the most common anthropogenic source of mortality for small cetaceans (Forney et al., 1999; Hill and DeMaster, 1999; Waring et al., 1999). The physical evidence associated with entanglement is specific to each combination of cetacean and fishing gear. Porpoises and dolphins killed in fine-mesh seine nets, for example, become trapped in the folds of the seine rather than entangled in the net itself and may not exhibit any external evidence of entanglement. In contrast, almost all dolphins and porpoises entangled in gill nets exhibit lacerations or indentations from the net material. Thus, the lesions caused by interactions with various types of fishing gear are very different. In this section, we will briefly describe gross evidence associated with entanglement in various types of fishing gear.

2.1 Evidence Diagnostic of Entanglement in Gill Nets

Over the past decade, we have examined over 100 carcasses of small cetaceans known to have died in gill net fisheries. In all but one of these specimens, from five species and three families, we found clear external evidence of entanglement, primarily in the form of lacerations and

indentations left from the net material. The type of laceration varies with the net material. Marks from monofilament nets usually appear as thin, distinct indentations in the skin of the animal (Figure 1). In contrast, multifilament gill nets often leave impressions of the braided nylon in the skin (Figure 2).

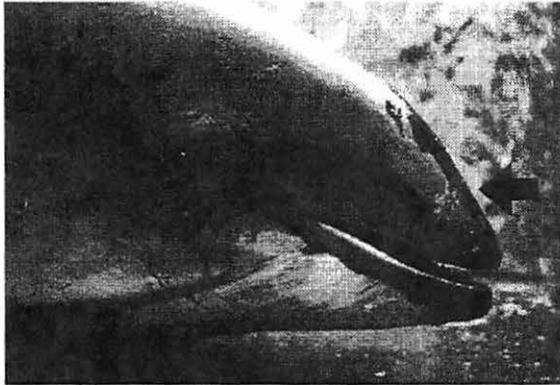


Figure 1. Net marks around the rostrum of a harbor porpoise entangled in a sink gill net in the Bay of Fundy, Canada.



Figure 2. Braided multifilament net marks around the dorsal fin of a common dolphin entangled in a pelagic drift net on the continental shelf break of the northeastern U.S.

2.1.1 Evidence of Entanglement

We consider the presence of unhealed, narrow, linear lacerations or indentations in the epidermis, most commonly around the head, dorsal fin, flukes and flippers, to be diagnostic of entanglement in gill nets. Any carcass exhibiting such lacerations or indentations should be assumed to have died as a result of an interaction with fishing

gear. These lesions have also been identified by other researchers as diagnostic of incidental mortality of cetaceans in commercial fisheries (Kuiken et al., 1994; Kuiken 1996; Siebert et al., 1996). Careful examination of the nature of these lesions may indicate in which type of net the animal was entangled (i.e., monofilament or multifilament) and perhaps some indication of the size of the mesh. The degree of entanglement and, consequently, the severity of associated lesions can vary with the species and the type of net. Large animals, such as pilot and beaked whales, killed in large-mesh nets are often severely entangled and exhibit clear net marks over much of their body (Figure 3). Lacerations around the mouth of these larger animals may be associated with bro-

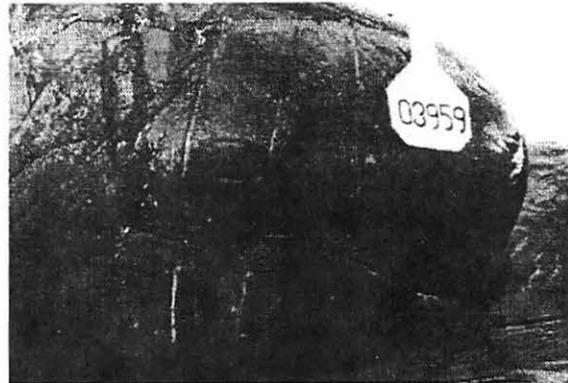


Figure 3. Net marks around the head of a long-finned pilot whale entangled in a pelagic drift net on the continental shelf break of the northeastern U.S.

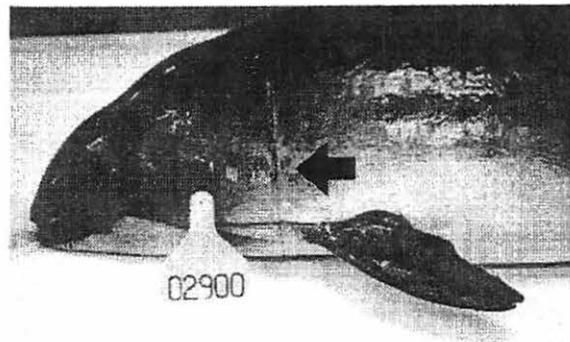


Figure 4. Net marks encircling the cervical region of a harbor porpoise entangled in a sink gill net in the Gulf of Maine.

C-3(a) Salmon FMP motion

April 1, 2011

Develop Alternative 3 as the preliminary preferred alternative for an initial review draft FMP and continue to expand discussion of FMP provisions the Council could consider changing or adding, as directed below.

Preliminary Preferred Alternative

Alternative 3: Modify the FMP to exclude the three historical fishing areas in the West Area.

In areas where the Salmon FMP applies, management would be deferred to the State of Alaska.

Direction for Salmon FMP Additions

Fishery Impact Statement: Use existing documents to the extent possible to describe the fisheries occurring under the FMP.

Bycatch Management: Include a management objective to minimize bycatch and minimize mortality of unavoidable bycatch in the directed salmon fisheries, but defer bycatch management in the directed salmon fisheries to the State of Alaska. Document existing monitoring and management measures for initial review analysis.

Annual Catch Limits and Accountability Measures:

- Use the NS1 Guidelines exception for stocks managed under an international fishery agreement with regard to ACL/AM requirements for Chinook salmon harvests under the Pacific Salmon Treaty (*labeled Option 1 in analysis*).
- Use the state's salmon management program as an alternative approach to satisfy MSA requirements (*labeled Option 2 in analysis*).

Direction for Amending Existing Salmon FMP Provisions

Sport Fishery: Remove the sport fishery in the West Area from the FMP.

Management objectives:

- Prevent commercial directed fishing of salmon in the EEZ outside of the historical fishing areas.
- Manage stocks harvested in directed fisheries as a unit throughout their range; manage interrelated stocks as a unit or in close coordination.

- Retain management objectives for the directed commercial fisheries under the FMP in the East Area for future discussion (evaluate them against current state management objectives and the Pacific Salmon Treaty).

Salmon Plan Team: For fisheries remaining under the FMP, explore review provided under the State of Alaska salmon management program and Pacific Salmon Treaty processes as alternative peer review processes for status of the stocks and fishery information.

Federal Salmon Limited Entry Permits: Remove federal permitting provision.

Process for Review and Appeal: More fully describe the process for the public to appeal and request Secretarial review of state regulations and inseason actions.