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## ALASKA DEPARTMENT OF FISH AND GAME DIVISION OF COMMERCIAL FISHERIES NEWS RELEASE



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### **2009 Prince William Sound Salmon Fishery News Release #2\*** **Prince William Sound and Copper River Announcement** Districts Affected: Copper River, Southwestern, Montague

**COPPER RIVER DISTRICT:** The Copper River District will open at 7:00 am on Monday, May 18 for a 12-hour period. Waters inside of the barrier islands to the markers that are approximately two miles seaward of the grass banks will be open during this period. The Miles Lake sonar will be active as soon as river conditions permit. Permit holders are advised that unscheduled announcements based on current escapement data may occur at any time inseason either establishing an additional period or extending an open period. Harvest from the May 14 opening is estimated at 20,216 sockeye and 1,549 Chinook salmon. This compares to an anticipated harvest of 9,386 sockeye and 2,856 Chinook salmon as based on a preseason forecast of 509,584 sockeye and 30,725 Chinook salmon.

**MONTAGUE DISTRICT:** Portions of the Port Chalmers Subdistrict will open to drift gillnet fishing for 60-hours at 8:00 am on May 25 with an additional 84-hour period anticipated to begin at 8:00 am on Thursday, May 28. This schedule is anticipated to remain in effect until further notice. Regulatory closed waters and anadromous stream closures within the Port Chalmers Subdistrict will not be in effect until further notice. Drift gillnet gear greater than 60 mesh in depth **will be permitted in the Pt. Chalmers Subdistrict ONLY.**

**SOUTHWESTERN DISTRICT:** The purse seine fishing season will open on Monday, May 25 to target enhanced chum salmon returning to the AFK hatchery. Time and area for this fishery will be announced on Wednesday, May 20, 2009.

PWS commercial fishers are reminded that area fisheries often necessitate fishing in close proximity to marine mammals. Under the Marine Mammals Protection Act (MMPA), the PWS drift gillnet fishery is classified as a Category II fishery. Participants in Category I and II fisheries must be registered in the Marine Mammal Avoidance Program (MMAP) to be authorized for lawful incidental, but not intentional, marine mammal takes during fishing. However, this authorization explicitly does **not** exempt holders of

commercial fishing permits from the MMPA prohibition on takes of marine mammals listed as endangered or threatened under the Endangered Species Act. As a participant in the PWS drift gillnet fishery you are automatically registered in the Marine Mammal Authorization Program (MMAP) by the National Marine Fisheries Service (NMFS). As a participant in a Category II fishery, you must:

- Maintain an MMAP Authorization Certificate, or a photocopy, on board the vessel while engaging in any of the fisheries identified on the reverse side of the certificate. For non-vessel or set net fisheries, the certificate, or a photocopy, must be in the possession of the permit holder during fishing operations. The certificate, in combination with a current, valid state or Federal fishing permit, will serve as your authorization to incidentally take non-endangered or non-threatened marine mammals in the course of commercial fishing operations.
- Report all injuries and mortalities of marine mammals within 48 hours of returning from the trip during which these takes occurred using the Mortality/Injury Reporting Form (or visit <http://alaskafisheries.noaa.gov/protectedresources/observers/mmapform.pdf> for a copy).
- If so requested, take an observer aboard your vessel.

Purse seine and set gillnet gear are classified as a category III fisheries under the MMPA. Category III fishery participants are automatically exempted from the incidental take prohibition in the MMPA. Therefore, you do not need to maintain the MMAP certificate aboard your vessel, but must report any incidental takes of marine mammals within 48 hours of the incident or your return to port. Such reports must be made on the Marine Mammals Authorization Program Mortality/Injury Reporting Form.

Because some marine mammals are also listed under the Endangered Species Act, incidental takes are also regulated under that act and are not authorized. **All** MMPA category fisheries are liable for incidentally taking ESA listed species.

Please reference [http://www.nmfs.noaa.gov/pr/pdfs/esa\\_factsheet.pdf](http://www.nmfs.noaa.gov/pr/pdfs/esa_factsheet.pdf) for a list of marine mammals currently listed under the ESA (you should periodically check with the National Marine Fisheries Service for any changes in listed species).

Under the ESA, take means to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." 16 U.S.C. 1532(19); and harass means an "intentional or negligent act or omission which creates the likelihood of injury to the wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering." (50 C.F.R. 17.3).

To reduce the possibility of incidentally taking an ESA listed species and its associated liability ADF&G recommends that:

- Fishermen participating in area fisheries remain vigilant in monitoring gear when marine mammals may be present.
- Fishermen use avoidance measures (e.g., not fishing or relocating fishing activities when marine mammals are present or likely to be present) to minimize interactions with marine mammals.
- Avoid fishing in areas where marine mammals are likely to be present at night or when visibility or weather conditions make it difficult to spot marine mammals.

For further questions concerning marine mammals and regulations concerning them, please call NMFS at 1-907/271-5006.

The department also encourages permit holders to report observed violations to Wildlife Safeguard at 1-800/478-3377. Reports are anonymous and cash rewards may be paid for successful prosecution of violations.

The next scheduled salmon fisheries announcement is anticipated to be at 2:00 pm Wednesday, May 20.

Announcement recordings are available at 907-424-7535.

Additionally, announcements, inseason harvest data, and escapement data are available at the following web addresses:

<http://www.cf.adfg.state.ak.us/region2/crhome.php> (Copper River homepage) or

<http://www.cf.adfg.state.ak.us/region2/pwshome.php> (Prince William Sound homepage).

Unless otherwise specified, all openings are clock openings based on Alaska Daylight Time, which is based on Coordinated Universal Time and may be obtained by calling 303-499-7111.

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