



**Alaska Department of Fish and Game**

**Board of Fisheries**

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## **Agenda 14: Non-regulatory and In-cycle ACRs**

### 1. ACRs received, but not included

- Subsistence salmon permits for the Sinuk River – Brandon Ahmasuk and Charles Lean
- Refund fees paid by UCI set gillnet fishermen – Karen McGahan
- Classification of banned invasive species – Matthew Van Daele (Sun’aq Tribe of Kodiak)

*In-cycle (late proposal)*

**ACR #**

Amend 5 AAC 01.180 Subsistence fishing permits; annual limits for salmon.

**CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD.**

5 AAC 01.180 Subsistence fishing permits; annual limits for salmon.

**WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM.**

The Sinuk River has an unlimited subsistence harvest allowance on all forms of salmon despite low projections and recent shortfalls on escapement goals. Managers have no discretion to limit a particular species just to close all salmon.

**WHAT SOLUTION DO YOU PREFER?**

We suggest 5AAC O 1.180. Subsistence fishing permits; annual limits for salmon have a regulation mimicking the Port Clarence regulation. It would read: (f) (4) in the Sinuk River the annual limit for sockeye salmon is 25 fish, chum salmon is 25 fish, coho salmon is 25 fish, and all chinook salmon must be returned to the water, unless modified by the commissioner by emergency order.

**STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED BELOW.**

**for a fishery conservation purpose or reason:** Chinook, sockeye, and chum salmon from the Sinuk River have all shown a decline in recent years. Chinook are essentially extirpated. chum are very low. sockeye are near their historic low. The current regulation limits Harvest on the Pilgrim to 25 per household unless amended by EO, there is no limit on the Sinuk River, giving the impression there is a better opportunity there. Fishers are refocusing their effort there contributing to the decline in stocks.

**to correct an error in regulation:** Prior to the Kookesh decision, the managers were thought to have discretion to set a low limit and incrementally raise harvest limits if conditions improved. Now decisions like that must be noticed in the regulations.

**to correct an effect on a fishery that was unforeseen when a regulation was adopted:** When the Pilgrim River limit was reduced, the contrast to the wide-open limit at Sinuk River was not considered. Hit and miss enumeration on the Sinuk system has delayed recognition of the problem as well. Aerial surveys can not always be flown and funding priorities have closed the counting station.

**WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?**

Chinook salmon are gone. Chum salmon are in very low numbers and will not support harvest on some years. Sockeye salmon can only support a modest harvest. Yet pink salmon and coho salmon are better able to support harvest. Without management discretion there will be foregone harvest.

**STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.**

There is no commercial fishery on this river's stocks. Hook and line fishing is permitted under subsistence and sport regulations. The limit there is 3 per day per person.

**IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE.**

N/A

**STATE YOUR INVOLVEMENT IN THE FISHERY THAT IS THE SUBJECT OF THIS ACR.**

Subsistence fishers.

**STATE WHETHER THIS ACR HAS BEEN CONSIDERED BEFORE, EITHER AS A PROPOSAL OR AS AN ACR, AND IF SO, DURING WHICH BOARD OF FISHERIES**

N/A

**SUBMITTED BY:** Brandon Ahmasuk, Charles Lean

*Outside of BOF authority*

**ACR #**

Refund fees paid by set gill net fishermen of Upper Cook Inlet to the State of Alaska if fishermen fish 6 periods or less.

**CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD.**

5 AAC NEW

**WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM.**

The Upper Subdistrict set gill netters of Cook Inlet pay renewal permit fees and lease fees to the State of Alaska and then are prevented from fishing salmon by the same government.

**WHAT SOLUTION DO YOU PREFER?**

If the Set Gill Net Fishery of Upper Cook Inlet has ONLY fished 6 periods or less, all fees paid to the State of Alaska will be refunded. This should be retroactive to include 2012 , and all years since 2012, and future years.

**STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED BELOW.**

**for a fishery conservation purpose or reason:**

**to correct an error in regulation:**

**to correct an effect on a fishery that was unforeseen when a regulation was adopted:** Paying fees to the State of Alaska and then not being allowed to fish is unacceptable.

**WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?**

Fees will still be paid by commercial fishermen who are not permitted to fish.

**STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.**

This is financial, not allocative.

**IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE.**

**STATE YOUR INVOLVEMENT IN THE FISHERY THAT IS THE SUBJECT OF THIS ACR.**

Commercial Fisherman, Salamatof Beach, Nikiski, Alaska

**STATE WHETHER THIS ACR HAS BEEN CONSIDERED BEFORE, EITHER AS A PROPOSAL OR AS AN ACR, AND IF SO, DURING WHICH BOARD OF FISHERIES I don't think this has been considered before.**

**SUBMITTED BY:** Karen McGahan

*In-cycle (late proposal)*

**ACR #**

Amend 5 AAC 41.075 Classification of banned invasive species.

**CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD.**

5 AAC

**WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM.**

In 2002, invasive signal crayfish (*Pacifastacus leniusculus*) were first reported in Buskin Lake, the main lake of the Buskin Watershed, on Kodiak Island. The Buskin Watershed is located five miles southwest from the city of Kodiak, and supports one of the largest subsistence salmon fisheries in the Kodiak/Aleutian Islands area. The watershed itself has 11.2 miles of streams and several lakes, the largest of which is Buskin Lake.

Both the USDA Forest Service and the Alaska Aquatic Nuisance Species Management Plan have listed the signal crayfish as one of the highest potential threats to Alaska. The method of introduction of signal crayfish into the Buskin Watershed has yet to be determined, but fortunately thus far they have been found nowhere else in Alaska.

The Sun'aq Tribe of Kodiak remains gravely concerned about the presence of signal crayfish in the Buskin Watershed, particularly how this invasive species will impact the wild salmon stocks vital to the subsistence culture and lifestyle of Sun'aq Tribal Members and non-members alike, and we feel it is essential to resume public capture of signal crayfish in order to contain, control, and work towards eradication of this invasive species.

**WHAT SOLUTION DO YOU PREFER?**

Resume public capture of signal crayfish within the Buskin Watershed, which will be complementary to the proposal ADF&G has submitted amending 5 AAC 41.075 by creating different classes of banned invasive species, with methods and means specifically targeting signal crayfish.

Our proposed amendment states:

*Within the Buskin Watershed of Kodiak Island, public capture of signal crayfish for human consumption is permitted with no closed season and no bag limit, through the use of hand capture, dip nets, and traps with at least one opening at least 2 inches in diameter; and the owner's first initial, last name, phone number, and home address clearly marked and affixed to a keg or buoy attached to the trap per subsistence shellfish regulation 5 AAC 02.010, Methods, means, and general restrictions*

**STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED BELOW.**

**for a fishery conservation purpose or reason:** In other parts of the world experiencing the arrival of invasive signal crayfish, including the British Isles and Scandinavia, the presence of established populations have had a direct negative impact on both resident and anadromous salmonids, through both predation of eggs and juveniles, as well as the overall ecosystem alterations caused by the crayfish. We remain very concerned the same may happen, or may

already be occurring in the Buskin Watershed. It is imperative to resume public capture to aid efforts in containment and control efforts due to the limitations of budgets, time, and staffing realities.

**to correct an error in regulation:** While we recognize the intent of the current regulation as a means to safeguard against accidental, unintentional, or deliberate transportation of invasive species beyond existing areas they have colonized, and we empathize with the thought process of ADF&G with this new regulation, by disallowing public capture of crayfish our abilities to control this invasive population have been significantly impeded. Due to myriad factors, not the least of which are budget, time, and staffing constraints, the only real way we can hope to control and work towards eradication of this invasive species is by combining our efforts in a partnership with ADF&G and the public. Central to this will be specific concerted efforts of outreach and education. For instance, we envision emulating the successes the Department has had with invasive Northern pike control and eradication as a model for what we can accomplish with invasive signal crayfish in the Buskin Watershed.

**to correct an effect on a fishery that was unforeseen when a regulation was adopted:** Disallowing public capture of crayfish significantly undermines our ability to control this invasive species, which likely has a direct impact on anadromous salmonids, particularly sockeye salmon and the subsistence and sport fisheries reliant on healthy, robust returns within the Buskin Watershed.

**WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?**

We will continue to not have the ability of the public's assistance in control efforts of signal crayfish, which will greatly diminish our efforts at keeping crayfish at manageable levels, and in particular attempting to further reduce the signal crayfish population within the Buskin Watershed.

**STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.**

We believe this ACR is not allocative, because it would reopen capture of signal crayfish to the general public at large.

**IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE.**

Please see above.

**STATE YOUR INVOLVEMENT IN THE FISHERY THAT IS THE SUBJECT OF THIS ACR.**

Sun'aq Tribe of Kodiak has taken an active role in efforts at signal crayfish removal and control in the Buskin Watershed (including basic research of life history, diet, movement, and population dynamics to better understand the population), and from our experiences and observations, public capture is an essential and critical component for containment and control of this invasive species.

**STATE WHETHER THIS ACR HAS BEEN CONSIDERED BEFORE, EITHER AS A PROPOSAL OR AS AN ACR, AND IF SO, DURING WHICH BOARD OF FISHERIES**

To the best of our knowledge, and after reviewing previous Board meetings, this ACR has not before been considered.

**SUBMITTED BY:** Matthew Van Daele, Natural Resources Director – Sun’aq Tribe of Kodiak