

ALASKA DEPARTMENT OF FISH AND GAME

STAFF COMMENTS ON AGENDA CHANGE REQUESTS FOR

ALASKA BOARD OF FISHERIES MEETING ANCHORAGE, ALASKA

October 12–13, 2023



Regional Information Report No. 5J23-05

The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries (board) meeting, October 12–13, 2023, in Anchorage, Alaska. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

Acronyms and Abbreviations

The following acronyms and abbreviations, and others approved for the Système International d'Unités (SI), are used without definition in the following reports by the Divisions of Commercial Fisheries, Sport Fish, and Subsistence: All others, including deviations from definitions listed below, are noted in the text at first mention, as well as in the titles or footnotes of tables, and in figures or figure captions.

Weights and measures (metric)

centimeter	cm
deciliter	dL
gram	g
hectare	ha
kilogram	kg
kilometer	km
liter	L
meter	m
milliliter	mL
millimeter	mm

Weights and measures (English)

cubic feet per second	ft ³ /s
foot	ft
gallon	gal
inch	in
mile	mi
nautical mile	nmi
ounce	oz
pound	lb
quart	qt
yard	yd

Time and temperature

day	d
degrees Celsius	°C
degrees Fahrenheit	°F
degrees kelvin	K
hour	h
minute	min
second	s

Physics and chemistry

all atomic symbols	
alternating current	AC
ampere	A
calorie	cal
direct current	DC
hertz	Hz
horsepower	hp
hydrogen ion activity (negative log of)	pH
parts per million	ppm
parts per thousand	ppt, ‰
volts	V
watts	W

General

Alaska Administrative Code	AAC
all commonly accepted abbreviations	e.g., Mr., Mrs., AM, PM, etc.
all commonly accepted professional titles	e.g., Dr., Ph.D., R.N., etc.
at	@
compass directions: east north south west	E N S W
copyright	©
corporate suffixes: Company Corporation Incorporated Limited	Co. Corp. Inc. Ltd.
District of Columbia	D.C.
et alii (and others)	et al.
et cetera (and so forth)	etc.
exempli gratia (for example)	e.g.
Federal Information Code	FIC
id est (that is)	i.e.
latitude or longitude	lat or long
monetary symbols (U.S.)	\$, ¢
months (tables and figures): first three letters	Jan,...,Dec
registered trademark	®
trademark	™
United States (adjective)	U.S.
United States of America (noun)	USA
U.S.C.	United States Code
U.S. state	use two-letter abbreviations (e.g., AK, WA)

Acronyms

Abundance Index	AI
Agenda Change Request	ACR
Alaska Board of Fisheries	board
Alaska Department of Fish and Game	department
Amount Necessary for Subsistence	ANS
Biological Escapement Goal	BEG
Carapace Width	CW
Community Development Quota	CDQ
Customary and Traditional	C&T
Fishery Management Plan	FMP
Guideline Harvest Level	GHL
Individual Fishing Quota	IFQ
Kodiak Management Area	KMA
Optimal Escapement Goal	OEG
Prince William Sound	PWS
Sustainable Escapement Goal	SEG
Total Allowable Catch	TAC
Upper Cook Inlet	UCI

REGIONAL INFORMATION REPORT 5J23-05

ALASKA DEPARTMENT OF FISH AND GAME

**STAFF COMMENTS ON
AGENDA CHANGE REQUESTS
FOR**

**ALASKA BOARD OF FISHERIES MEETING
ANCHORAGE, ALASKA**

OCTOBER 12–13, 2023

by

Alaska Department of Fish and Game

Alaska Department of Fish and Game
Division of Sport Fish, Research and Technical Services
333 Raspberry Road, Anchorage, AK 99518–1565

September 2023

ABSTRACT

This document contains Alaska Department of Fish and Game staff comments on agenda change requests. These comments were prepared by the department for use at the Alaska Board of Fisheries meeting, October 12–13, 2023, in Anchorage, Alaska. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

Keywords: Alaska Board of Fisheries (board), Alaska Department of Fish and Game (department) staff comments, finfish, salmon, herring, groundfish, management, management plan, agenda change request (ACR), regulatory proposal, inriver, subsistence, personal use, sport, guided sport, commercial fisheries, biological escapement goal (BEG), sustainable escapement goal (SEG), optimal escapement goal (OEG), stock of concern (SOC)

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ACR 1 – Require set gillnet anchors and buoys to be removed from the water when not actively being fished (5 AAC 39.107).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This would require set gillnet buoys and anchors to be removed from the water if not actively being fished.

PRESENT SITUATION: In most parts of the state, set gillnet buoys, anchors, and running lines may be left in the water when the commercial salmon fishery in that area is closed. In some areas that are opened infrequently to commercial fishing with set gillnet gear, set gillnet buoys, anchors, running lines, and associated gear may not be placed in the water except during open fishing periods and must be removed from the water during closures or within 24 hours of the closure. Set gillnet gear must be marked to aid in identification (5 AAC 39.280).

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION: Strong tides and currents require large anchors to hold set gillnets in place. In some areas minus tides are needed to set outer anchors and these tides do not occur every month. Some anchors, such as screw-type or ‘duckbill’ anchors are meant to be permanently installed. Because of the time and tide stages required to install set gillnet anchors, buoys, running lines, and associated gear, it is common practice to leave this equipment in the water and simply remove the gillnets during periods closed to commercial fishing for salmon. Removing anchors, running lines, and buoys during closed periods is not practical in most areas because of the short duration of closed periods and nature of anchor and gear installation.

PROPOSED BY: Kevin Currier.

ACR 2 – Reduce fishing time and repeal chum salmon harvest triggers in the *South Unimak and Shumagin Islands June Salmon Management Plan* (5 AAC 09.365).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This seeks to change the *South Unimak and Shumagin Islands June Salmon Management Plan* (plan) by reducing the number of hours open to commercial fishing and repealing chum salmon harvest triggers.

PRESENT SITUATION: The plan is in effect from June 6 through June 28 with five commercial fishing periods ranging in duration from 66 to 88 hours. The Alaska Board of Fisheries (board) amended the plan in January 2023, after extensive deliberation, to reduce fishing time for purse seine gear only during the first two commercial fishing periods; from 88 hours to 68 hours for the first period and from 88 hours to 66 hours for the second period. This change effectively increased the duration of closure windows between fishing periods to allow for chum salmon migration through the fishing area. The plan was also amended to include two chum salmon harvest triggers that reduce fishing time when reached and to close the Sanak Island Section, an area of known high chum salmon abundance. All salmon caught must be retained and reported on a fish ticket.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION: The 2023 South Unimak and Shumagin Islands June fishery concluded on June 28 at 11:59 p.m. The estimated inseason harvest for the June fishery was 1,739 king, 881,288 sockeye, 213,425 pink, and 199,888 chum salmon. The harvest of sockeye salmon was below the 10-yr average of 1,607,755 fish and below the 20-year average of 1,419,808 fish. The 2023 chum salmon harvest was well below both the 10-year average of 517,180 fish and 20-year average of 459,007 fish.

In 2023, the fleet and processors collaborated to reduce their harvest of chum salmon in June through a voluntary program whereby members of the purse seine fleet shared catch information with one another in real time and coordinated efforts to avoid harvesting chum salmon. All purse seine fleet members participated in this program. The fleet communicated daily with the department to provide updates on voluntary actions take to reduce chum salmon harvest. A total of 26 voluntary stand down events, including no fishing by purse seine and drift gillnet vessels June 10, were implemented by the fleet. In addition, two inseason actions were taken by the department to conserve Chignik River early-run sockeye salmon: the fishing period beginning June 16 was reduced from 66 hours to 33 hours duration and the fishing period beginning June 20 was reduced from 88 hours to 44 hours duration. Most of the drift gillnet fleet departed the South Alaska Peninsula Area by June 20 to pursue fishing opportunities on the north side of the Alaska Peninsula.

In 2023 the Alaska Wildlife Troopers (AWT) conducted an extensive enforcement effort during the June Shumagin Islands and South Unimak fishery. AWT contacted over 100 of the 209 permit holders that made landings in June. Several fishermen were cited by the Alaska Wildlife Troopers during the 2023 fishing season for failing to retain all salmon caught during the 2023 June fishery.

The department relies on fish ticket information to make inseason management decisions and discarding salmon, prior to reporting on a fish ticket, increases uncertainty in harvest estimates. However, the department does not believe the magnitude of discarding observed in 2023 presents a management or conservation concern.

The most recent (2022 fishery) harvest stock composition estimates indicate that Coastal Western Alaska (CWAK) which includes chum salmon from Bristol Bay, Kuskokwim River, Lower and Middle Yukon, and Norton Sound represent only 17.7% of June chum salmon harvest. Most of the June chum salmon harvest in 2022 was comprised of Asian-origin fish (58%). Stock composition estimates from the 2023 fishery are not yet available.

Summer chum salmon returns to the Yukon River were considerably stronger in 2023 than in 2021 and 2022. Subsistence fishing for chum salmon with selective gear types, to conserve king salmon, was opened with unrestricted time in the Coastal District and for 72 hours per week in Districts 1 and 2 beginning June 26. Districts further upriver opened as the chum salmon migration progressed and fishing opportunity was provided 24 hours per day, seven days per week beginning July 9. Preliminary Pilot Station sonar passage during the summer season was estimated to be 845,955 summer chum salmon which provides confidence that final estimates of escapement will fall within the drainagewide escapement goal range of 500,000 to 1.2 million fish.

PROPOSED BY: Fairbanks Fish and Game Advisory Committee.

ACR 3 – Reduce commercial salmon seine depth in the Southwestern and Unimak Districts of Registration Area M (5 AAC 09.332).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This seeks to reduce seine depth from a maximum of 375 meshes to a maximum of 250 meshes.

PRESENT SITUATION: Purse seines or hand purse seines may not be less than 100 fathoms nor more than 250 fathoms in length. A purse seine or hand purse seine may not exceed 375 meshes in depth. Seine mesh may not be more than three and one-half inches, except that the first 25 meshes above the leadline may not be more than seven inches. Leads may not be less than 50 fathoms nor more than 150 fathoms in length. Only one lead may be used with a seine. A lead may be attached to only one end of a seine, and the lead may not be attached to the boat end of the seine. The department does not collect information on how individual fishermen configure seines within these specifications.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

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- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

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Summer chum salmon returns to the Yukon River were considerably stronger in 2023 than in 2021 and 2022. Subsistence fishing for chum salmon with selective gear types, to conserve king salmon,

was opened with unrestricted time in the Coastal District and for 72 hours per week in Districts 1 and 2 beginning June 26. Districts further upriver opened as the chum salmon migration progressed and fishing opportunity was provided 24 hours per day, seven days per week beginning July 9. Preliminary Pilot Station sonar passage during the summer season was estimated to be 845,955 summer chum salmon which provides confidence that final estimates of escapement will fall within the drainagewide escapement goal range of 500,000 to 1.2 million fish.

PROPOSED BY: Western Interior Regional Advisory Council.

ACR 4 – Repeal vessel specifications and operations that define Bristol Bay drift gillnet vessel length (5 AAC 06.341).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This seeks to repeal the 32-foot overall length restriction for Bristol Bay drift gillnet vessels.

PRESENT SITUATION: 5 AAC 06.341 limits Bristol Bay drift gillnet vessels to 32 feet in overall length and provides definitions and exceptions for anchor roller, fish drop-out basket, gillnet roller, outdrive, outdrive guard, and trim tabs that may extend beyond the 32-foot overall length limit. The current regulation and definitions have been in effect since 1991, but the 32-foot overall length limit was in effect well before then.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION:

Proposals to change Bristol Bay drift gillnet vessel specifications have been considered by the board during Bristol Bay finfish meetings in 2018, 2012, 2009, 2006, and 2003. In recent years, permit holders have requested Alaska Wildlife Troopers (AWT) focus on enforcing vessel specifications because some newly manufactured vessels exceed regulatory specifications. AWT notified the Bristol Bay drift gillnet fleet in December 2022 that vessel specifications would be a focus topic for enforcement activities in Bristol Bay.

PROPOSED BY: Kevin Currier.

ACR 5 – Redefine Bristol Bay commercial salmon vessel specifications and operations (5 AAC 06.341).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This seeks to amend Bristol Bay drift gillnet vessel specifications defining vessel additions extending beyond the 32 feet overall length limit.

PRESENT SITUATION: 5 AAC 06.341 limits Bristol Bay drift gillnet vessels to 32 feet in overall length and provides definitions and exceptions for anchor roller, fish drop-out basket, gillnet roller, outdrive, outdrive guard, and trim tabs that may extend beyond the 32-foot overall length limit. The current regulation and definitions have been in effect since 1991, but the 32-foot overall length limit was in effect well before then.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION: Proposals to change Bristol Bay drift gillnet vessel specifications have been considered by the board during Bristol Bay finfish meetings in 2018, 2012, 2009, 2006, and 2003. In recent years, permit holders have requested Alaska Wildlife Troopers (AWT) focus on enforcing vessel specifications because some newly manufactured vessels exceed regulatory specifications. AWT notified the Bristol Bay drift gillnet fleet in December 2022 that vessel specifications would be a focus topic for enforcement activities in Bristol Bay.

PROPOSED BY: Regional Fisheries Development Committee for BBEDC.

ACR 6 – Increase maximum size of Bristol Bay drift gillnet vessel anchor rollers (5 AAC 06.341).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This seeks to increase lawful size of anchor rollers for Bristol Bay drift gillnet vessels.

PRESENT SITUATION: 5 AAC 06.341 limits Bristol Bay drift gillnet vessels to 32 feet in overall length and provides definitions and exceptions for anchor roller, fish drop-out basket, gillnet roller, outdrive, outdrive guard, and trim tabs that may extend beyond the 32-foot overall length limit. The current regulation and definitions have been in effect since 1991, but the 32-foot overall length limit was in effect well before then. Anchor rollers are permitted to extend beyond the 32-foot overall length limit and may be no larger than 8 inches wide, 8 inches high, and 8 inches long.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION:

Proposals to change Bristol Bay drift gillnet vessel specifications have been considered by the board during Bristol Bay finfish meetings in 2018, 2012, 2009, 2006, and 2003. In recent years, permit holders have requested Alaska Wildlife Troopers (AWT) focus on enforcing vessel specifications because some newly manufactured vessels exceed regulatory specifications. AWT notified the Bristol Bay drift gillnet fleet in December 2022 that vessel specifications would be a focus topic for enforcement activities in Bristol Bay.

PROPOSED BY: Harold Cook, Jr.

ACR 7 – Increase maximum gillnet mesh size in the Yukon Area commercial salmon fishery (5 AAC 05.331).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This would clarify current regulations to include a maximum mesh size of seven-and-one-half inches for directed king salmon commercial fisheries in Yukon Area Districts 1–6.

PRESENT SITUATION: Currently, gillnets of six-inch or smaller mesh are established by emergency order and during times when the commissioner determines it necessary for the conservation of a salmon species. Gillnet mesh size can also be established at seven-and-one-half inches by emergency order for the conservation of salmon.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION: Historically, gillnet mesh size was unrestricted during directed king salmon fishing on the Yukon River. In 2010, the Alaska Board of Fisheries (board) adopted Proposal 90 that established a maximum mesh size of seven and one-half inches for all Yukon Area gillnet fisheries. Existing gillnet fishery regulations were amended to be consistent with this maximum gillnet mesh size. The board met in Anchorage from January 14–18, 2023 to discuss proposals relating to commercial fishing within the Yukon Area. Proposal 88 was submitted by the department to consolidate and simplify existing Yukon Area commercial gillnet specifications and operations. Over the course of the January 2023 board meeting, Yukon Area stakeholders raised concerns that Proposal 88 may unintentionally restrict the mesh size allowed during directed king salmon gillnet commercial fisheries to six-inches or less mesh size, functionally closing the Yukon River directed king salmon commercial fishery. In response to this concern, RC 34 was submitted by Yukon Delta Fisheries Development Association (YDFDA) seeking to amend Proposal 88 and clarify that seven-and one-half inch mesh gillnets would still be allowed during directed king salmon commercial fisheries. During deliberations on Proposal 88, amended language within RC 34 was brought up for consideration. The board made no motion to further discuss or adopt RC 34 and final action was taken on Proposal 88 which passed unanimously.

PROPOSED BY: Ragnar Alstrom, Executive Director Yukon Delta Fisheries Development Association (YDFDA).

ACR 8 – Restrict Copper River District commercial salmon fishing opportunity until a specified level of salmon sonar passage at Miles Lake has been achieved (5 AAC 24.XXX).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This seeks to restrict harvest of early run sockeye and king salmon to the Copper River until at least one Alaska Department of Fish and Game (department) daily sonar management objective has been achieved.

PRESENT SITUATION: The department manages Copper River sockeye and king salmon runs to meet an inriver goal that includes fish allocated to upriver subsistence, personal use, and sport harvest as well as fish to meet sustainable escapement goals (SEGs). For the purposes of managing directed fisheries, the department considers the best available information regarding harvest, run timing, environmental conditions, age composition, and escapement. Escapement is estimated by subtracting inriver harvest estimates from Miles Lake sonar fish counts. Additionally, Copper River salmon runs are managed to assure sustained yield as outlined in 5 AAC 01.647 *Copper River Subsistence Fisheries Management Plans*, 5 AAC 24.360, *Copper River District Salmon Management Plan*, and 5 AAC 77.591 *Copper River Personal Use Dip Net Salmon Fishery Management Plan*. For king salmon specifically, 5 AAC 24.361 *Copper River King Salmon Management Plan* directs the department to manage the Copper River commercial, sport, personal use, and subsistence fisheries to achieve an SEG of 21,000–31,000 king salmon.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION: The department does not have concerns with the sustainability of sockeye or king salmon runs to the Copper River. In 2023, the overall inriver passage by the Miles Lake sonar (991,000 fish) was above the 10-year (2013-2022) average of 916,000 fish. Both sockeye and king salmon runs are anticipated to exceed their SEG ranges this year. The upper Copper River Sockeye salmon escapement goal has been achieved during each of the last 20 years and exceeded four times during that period. The Copper River king salmon escapement goal has been achieved in 14 of the last 20 years, even with historically small runs throughout this period. Copper River fisheries are managed using long standing practices.

PROPOSED BY: Alaska Outdoor Council.

ACR 9 – Repeal the no bait regulation and allow the use of non-roe bait for salmon, other than king salmon (5 AAC 67.022).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This seeks to amend sport fishing regulations in the Togiak River to allow for the use of bait, excluding roe, for species other than king salmon.

PRESENT SITUATION: 5 AAC 67.022 (1) special provisions in the Togiak River Drainage stipulates for all species that only unbaited, single hook artificial lures or flies may be used. The bag and possession limit for king salmon less than 20 inches in length is 10 fish. Any king salmon caught that are 20 inches or greater in length must be released immediately. Sport fishing for king salmon upstream of the confluence of Gechiak Creek and the Togiak River is prohibited. Except for the gear restrictions outlined above, all other species in the Togiak River Drainage are managed under the general regulations for Bristol Bay.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** Yes. An amended proposal targeting conservation of king salmon in the Togiak River was adopted at the 2022 Bristol Bay finfish meeting creating the language found in 5 AAC 67.022 (1). The effect of the new regulatory language was the prohibition of the use of bait in the Togiak River drainage for all species.

ADDITIONAL INFORMATION: There are no conservation concerns regarding the use of bait for other species in the Togiak River. Bait is a commonly used sport fishing method for king and coho salmon throughout Bristol Bay. The use of bait may increase the incidental catch of king salmon. King salmon run timing may overlap other salmon but it is earlier and distinct from coho salmon run timing in the Togiak River, and most king salmon spawning takes place upstream of the commonly fished areas for coho salmon.

PROPOSED BY: Zackery and Jordan Larsen for Togiak River Lodge.

ACR 10 – Provide guidance for specific king salmon sport fishery management actions while Nushagak River king salmon are a stock of concern (5 AAC 06.391).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This seeks to reinstate run-projection based triggers for restricting the king salmon sport fishery inseason through emergency order on the Nushagak River. The agenda change request does not outline specific criteria to manage the king salmon sport fishery.

PRESENT SITUATION: The Nushagak River king salmon sport fishery is managed under 5 AAC 06.391(e) with an annual limit for king salmon of four fish 20 inches or greater in length, only one of which may be greater than 28 inches in length. If the inriver return of king salmon to the Nushagak River is projected to exceed 95,000 fish, the annual limit for king salmon over 20 inches may be liberalized by removing the one fish retention restriction for fish over 28 inches in length.

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- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION: The board repealed management triggers based on the Nushagak River sonar in 5 AAC 06.361 *Nushagak-Mulchatna King Salmon Management Plan* in 2018 based on department recommendation due to uncertainty in king salmon counts at the sonar site. The board considered conservation of Nushagak River king salmon in all fisheries at its 2023 meeting and adopted 5 AAC 06.391 *Nushagak District King Salmon Stock of Concern Management Plan*. In 5 AAC 06.391 (e), the board took action to reduce harvest in the sport fishery, increase escapement of king salmon greater than 28 inches in length, and increase harvest opportunity in the sport fishery when the total inriver king salmon run return in the Nushagak River is projected to exceed the inriver run goal of 95,000 fish.

PROPOSED BY: Tom Rollman and Nicholas Dowie.

ACR 11 – Amend the Southeast Alaska King Salmon Management Plan to align with new methods to set catch limits adopted by the Pacific Salmon Commission (5 AAC 47.055).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: Language within the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) would be updated to align with the new method of calculating the Alaska all-gear catch limit adopted by the Pacific Salmon Commission in February 2023.

PRESENT SITUATION: The *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) directs the department to establish bag, possession, and annual limits and other management measures for the king salmon sport fishery in Southeast Alaska. The seven management tiers described within the management plan correspond to the annual allocation of king salmon to the sport fishery with opportunity increasing as allocation increases. The current language of the management plan references the now outdated “winter troll CPUE” and “king salmon abundance index” as the criteria for implementing a management tier.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** Yes, the current language of 5 AAC 47.055 no longer aligns with provisions of the Pacific Salmon Treaty.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** Yes, the modifications made by the Pacific Salmon Commission occurred after this management plan was last amended in March of 2022.

ADDITIONAL INFORMATION: Each spring the Alaska all-gear catch limit is calculated in accordance with the Pacific Salmon Treaty and defines the number of king salmon that may be harvested in Southeast Alaska, with some exclusions for Alaska hatchery-produced king salmon harvest. The Alaska all-gear catch limit is then allocated domestically according to *Allocation of king salmon in the Southeast Alaska-Yakutat Area* (5 AAC 29.060). In February 2023 the Pacific Salmon Commission adopted a new method of calculating the Alaska all-gear catch limit.

In March 2022, the Alaska Board of Fisheries (board) adopted changes to the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) during the Southeast Alaska Finfish and Shellfish meeting. Some fundamentals of the adopted management plan are listed below:

- Sport fish management actions are established at the beginning of the season and inseason changes are not made to keep the sport fishery within its allocation or opportunity increased to achieve the allocation. This provides inseason stability to the sport fishery.
- The domestic allocation between fisheries has not changed (80% troll/20% sport after subtracting the commercial net fisheries allocation).
- It is expected that the sport fishery will be under allocation in high abundance tiers and over allocation in low abundance tiers but the objective of the plan is to achieve the sport allocation on average, over the course of years.
- This management plan will sunset in March 2025, which will require the board to review and reestablish the management plan during the next Southeast Alaska Finfish meeting in March 2025.

- Any underage of allocation in sport fishery may be made available for the commercial troll fishery to harvest. Any overage in the sport fishery will need to be absorbed by the commercial troll fishery or unutilized allocation remaining from other fisheries to avoid exceeding the Alaska all-gear catch limit and thereby requiring an overage payback the following year.
- Bag, possession, and annual limits were modified for nonresident anglers by reducing opportunity in the upper management tiers while increasing opportunity in the lowest management tiers. This compromise was designed to preserve a minimal opportunity for charter businesses in low abundance years while increasing the sport allocation that could be harvested by the commercial troll fleet in high abundance years.
- The department shall manage the resident sport fishery so that there are no closures for residents, unless the commissioner determines that additional harvest reduction to the resident bag limits is necessary to comply with the Pacific Salmon Treaty.
- Associated with these changes to 5 AAC 47.055, the board also adopted changes to *Allocation of king salmon in the Southeast Alaska-Yakutat Area* (5 AAC 29.060) which allowed any projected unused balance in sport allocation to be harvested by the commercial troll fishery. Additionally, the board clarified in 5 AAC 29.060 that if an overage of the Alaska all-gear catch limit occurs one year, in the next year the Alaska all-gear catch is reduced by that amount and the remaining allocation will be allocated between gear groups according to *Allocation of king salmon in the Southeast Alaska-Yakutat Area* (5 AAC 29.060).

Within the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055), each management tier is described by a statement that reflects the annual allocation available to the sport fishery and references the “Southeast Alaska winter troll fishery CPUE” and the corresponding “king salmon abundance index”. The Alaska all-gear catch limit is no longer based solely on the winter troll CPUE and the allocation listed within the management plan do not accurately reflect the allocation to the sport fishery under the new method. This proposal seeks to replace these outdated references within the management plan with the corresponding allocation range for the sport fishery in numbers of fish. By replacing the references to the metric used to calculate the Alaska all-gear catch limit with the allocation range to sport fishery, the management plan should be more resilient to changes made by the Pacific Salmon Commission in the method used to calculate the Alaska all-gear catch limit.

PROPOSED BY: Alaska Department of Fish and Game.

ACR 12 – Amend the *Southeast Alaska King Salmon Management Plan* to align with changes adopted by the Pacific Salmon Commission to maintain the troll and sport fishery allocations (5 AAC 47.055).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: Language within the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) would be updated to increase the number of possible management tiers to match the number of possible allocation outcomes of the Alaska all-gear catch limit which were adopted by the Pacific Salmon Commission in February 2023.

PRESENT SITUATION: The *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) directs the department to establish bag, possession, annual limits, and other management measures for the king salmon sport fishery in Southeast Alaska. The management plan contains seven management tiers which correspond to the annual allocation of king salmon to the sport fishery with opportunity increasing as allocation increases.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** Yes, the modifications made by Pacific Salmon Commission occurred after this management plan was last amended in March of 2022.

ADDITIONAL INFORMATION: The Pacific Salmon Commission adopted a new method of calculating the Alaska all-gear catch limit which now includes 17 possible outcomes (tiers). While the *Southeast Alaska King Salmon Management Plan* contains 7 possible management tiers the domestic allocation between gear groups is directed by *Allocation of king salmon in the Southeast Alaska-Yakutat Area* (5 AAC 29.060) and has not changed. The Alaska all-gear catch limit (annual harvest ceiling) is allocated among gear groups by the board under 5 AAC 29.060 as follows:

Purse seine fishery: 4.3%;

Drift gillnet fishery: 2.9%;

Set gillnet fishery: 1,000 fish;

Troll fishery: 80%, after the net fishery allocations have been subtracted;

Sport: 20%, after the net fishery allocations have been subtracted.

The language within 5 AAC 47.055 includes references to the now outdated method of calculating the Alaska all-gear catch limit but increasing the number of management tiers for the sport fishery is not necessary to align the management plan with changes made by the Pacific Salmon Commission.

The suite of management actions described within each of the seven management tiers within the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) are not designed to achieve the sport allocation on an annual basis. It is expected that the sport fishery will be under allocation in

high abundance tiers and over allocation in low abundance tiers, but the objective of the plan is to achieve the sport allocation on average, over the course of years. It is not necessary to match the number of sport fish management tiers to the number of possible outcomes of the Alaska all-gear catch limit. Currently the department applies the management tier within 5 AAC 47.055 which most closely aligns with the allocation to sport fishery (Table 12.1). In this way the 17 possible Alaska all-gear catch limits are apportioned into the 7 sport fish management tiers described in the management plan. ACR 11 would modify the management plan to align with changes made by the Pacific Salmon Commission by establishing the sport allocation ranges associated with each management tier but would not change the number of management tiers.

Table 12.1.–Pacific Salmon Commission determined all-gear catch limit tiers and corresponding sport fish management tiers as described in 5 AAC 47.055.

PSC determined Tier	All-gear catch limit	Sport allocation	Sport management tier (5 AAC 47.055)	Sport allocation referenced within 5 AAC 47.055 (now outdated)
1	Commission Determined	TBD	1 (i)	TBD
2	107,498	19,752	2 (h)	20,600
3	111,888	20,566	2 (h)	20,600
4	116,278	21,381	2 (h)	20,600
5	127,130	23,395	3 (g)	25,800
6	142,101	26,174	3 (g)	25,800
7	157,072	28,953	3 (g)	25,800
8	191,963	35,428	4 (f)	37,900
9	206,027	38,039	4 (f)	37,900
10	220,091	40,649	4 (f)	37,900
11	252,358	46,638	5 (e)	49,300
12	267,594	49,465	5 (e)	49,300
13	282,830	52,293	5 (e)	49,300
14	314,799	58,227	6 (d)	61,900
15	335,288	62,029	6 (d)	61,900
16	355,778	65,832	6 (d)	61,900
17	373,801	69,177	7 (c)	69,000

PROPOSED BY: Tad Fujioka.

ACR 13 – Manage the Southeast Alaska king salmon sport fishery to not exceed the annual sport fishery harvest allocation (5 AAC 47.055).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: Modify the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) to direct the department to manage the sport fishery inseason to achieve the annual king salmon allocation to the sport fishery established by 5 AAC 29.060.

PRESENT SITUATION: The *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) directs the department to establish bag, possession, annual limits, and other management measures for the king salmon sport fishery in Southeast Alaska. Sport fish management actions are implemented at the beginning of the season and inseason changes are not made to keep the sport fishery within allocation or opportunity increased to achieve the allocation. The intent is that the sport fishery will obtain its allocation on average, over the course of years.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION: During the March 2022 Alaska Board of Fisheries Southeast Alaska Finfish and Shellfish meeting, RC 178 was prepared as substitute language for Proposal 82 after cooperation between the Alaska Trollers Association, Southeast Alaska Guides Organization and Territorial Sportsmen Incorporated. This substitute language addressed modifications to the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) and *Allocation of king salmon in the Southeast Alaska-Yakutat Area* (5 AAC 29.060). Within RC 178 the language described in the objectives of the management plan under 5 AAC 47.055(b)(2) was not updated. Immediately after the meeting this omission was corrected before advancing the draft regulatory language to be signed by the Lieutenant Governor. The language within 5 AAC 47.055(b) at the time RC 178 was drafted was:

(2) allow uninterrupted sport fishing in salt waters for king salmon, while not exceeding the sport fishery harvest ceiling;

The words “sport fishery” were removed to read:

(2) allow uninterrupted sport fishing in salt waters for king salmon, while not exceeding the harvest ceiling;

This error in the draft regulatory language of 5 AAC 47.055 (b)(2) within RC 178 was a simple oversight and does not reflect the verbal record during board deliberations or align with the other provisions of the management plan. By removing “sport fishery” the intent was to reduce the confusion that might be caused by maintaining the contradictory language as written in RC 178.

PROPOSED BY: David Richey and Monique Wilkinson.