

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

DIVISION OF COMMERCIAL FISHERIES

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Memorandum

TO: Mel Morris, Chair
Alaska Board of Fisheries

DATE: April 30, 2008

THROUGH: John Hilsinger, Director
Commercial Fisheries Division

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FROM: Jeff Regnart, Region II Regional Supervisor
Commercial Fisheries Division

SUBJECT: Petition to expand
the Egegik and Ugashik Districts

Action Requested

The petitioner requests that the Alaska Board of Fisheries (Board) expand the time and area available to commercial fishing in the Egegik and Ugashik districts in Bristol Bay. The stated intent is to allow access to quantities of fish early in the season to provide fish to processors that may help alleviate capacity issues later in the season. The petition seeks to expand the Egegik District approximately 4 miles to the north, 5 miles to the south and out to the three mile limit of state authority. The Ugashik District would be expanded approximately 10 miles northward and out to the three mile limit of state authority. Both of these expansions include waters considered to be mixed stock milling areas.

The framing regulation for management of commercial salmon fisheries in Bristol Bay is the Bristol Bay Commercial Set and Drift Gillnet Management and Allocation Plan (5 AAC 06.355). Within the plan, the Board directed the department to manage fisheries within Bristol Bay to achieve spawning escapements in the major river systems within Bristol Bay, allow harvest of salmon in excess of spawning needs, achieve escapements from all segments of the run to preserve genetic diversity, allocate harvest among gear groups *by district*, distribute fish *within districts* by use of time and area, and reduce intensive line fisheries and harvest of *stocks bound for other districts*. The Board directs that the department shall accomplish these goals through the use of existing management plans. Management and allocation plans have been developed for the Naknek/Kvichak District (5 AAC 06.364), Egegik District (5 AAC 06.365), Ugashik District (5 AAC 06.366) and the Nushagak District (5 AAC 06.367).

In addition, the Kvichak River system has experienced several years of lower than expected sockeye salmon production and the Kvichak River sockeye salmon stock has been classified as a stock of concern at the management level. The Naknek River Sockeye Salmon Special Harvest

Area Management Plan (5 AAC 06.360) was developed to ensure escapement into the Kvichak River. This plan defines reduced areas within the Naknek/Kvichak District and provides benchmarks and trigger points for actions, which include reduction of fishing area or time in other districts (Egegik, 5 AAC 06.359 and Ugashik, 5 AAC 06.366.) under certain circumstances. This plan has been invoked every year since 1999. All of the management/allocation plans and special harvest area management plans have been vetted through an arduous and sometimes divisive public Board process.

To grant the petition as requested, the Board must make a finding of emergency under the criteria listed in 5 AAC 96.625. In section (f), an emergency is described as an unforeseen, unexpected event that either threatens a fish or game resource, or an unforeseen, unexpected resource situation where a biologically allowable resource harvest would be precluded by delayed regulatory action and such delay would be significantly burdensome to the petitioners because the resource would be unavailable in the future.

Background

While not identical to the General District boundaries, this petition proposes a similar approach by opening additional area outside of established districts. The Board has taken action with regard to the General District twice during the last three years. The department submitted an agenda change request to address the General District Management Plan sunset clause at the October, 2005, Board work session. The Board chose not to extend the plan at that time. There was also a proposal at the regular cycle Bristol Bay finfish Board meeting in December, 2006, to allow fishing in the General District for up to 25% of the projected harvest. This proposal was opposed by all Bristol Bay Advisory Committees and was rejected by the Board.

The preseason forecast for Bristol Bay in 2008 predicts a potential harvest of approximately 31.5 million sockeye salmon. A preseason survey of processing capacity indicates processors are prepared to process approximately 36 million fish. This harvest level is similar to the 1986 – 1995, 10-year average harvest of 30.2 million fish and the harvest of 31.0 million fish in 2006. This information was available to the Board during their consideration of the General District issue in 2006.

There has been contention regarding sockeye salmon stocks destined for one district that are caught in other districts within Bristol Bay. The most contentious district is Egegik and management plans have been developed to address these issues. One action listed in the management plan directs the department to minimize fishing during the ebb tide. This action is intended to reduce the harvest of fish that are bound for rivers further up the coast (i.e. Kvichak and Naknek rivers), but are pulled southward by the tide. Additionally, the district is reduced considerably in size should the Naknek River Sockeye Salmon Special Harvest Area be invoked due to a Kvichak River sockeye salmon escapement deficit or low preseason forecast for the Kvichak River.

Kvichak River sockeye salmon is a stock of concern at the management level and current management strategies of the east side districts have been structured to ensure Kvichak River sockeye salmon escapement falls within the sustainable escapement goal (SEG) range. Early fishing outside of Egegik and Ugashik district boundaries could delay escapement into the Kvichak River by harvesting early run components bound for that system, triggering management actions in Naknek/Kvichak, Egegik, and potentially Ugashik districts. Management of these districts with reduced boundaries in the event of a large run is problematic.

Allowing a fishery to take place in areas where the department lacks the ability to manage harvest on relatively discrete stocks, well before an assessment of abundance, could endanger attainment of the Kvichak River sockeye salmon SEG.

Findings of Emergency

It is the department's determination that it does not appear that a finding of emergency under 5 AAC 96.625 (f) has been satisfied by this petition. The Board has addressed requests to expand fishing outside established districts and rejected them as recently as the 2006 Bristol Bay finfish meeting. The 2008 Bristol Bay total sockeye salmon run forecast of 40.3 million fish does not appear to represent an unforeseen or unexpected event. However, if the 2008 Bristol Bay sockeye salmon run is significantly greater than forecast, or its run timing is compressed, a situation may arise that could preclude a biologically allowable resource harvest from occurring.

Summary

The department understands the desire of both fishers and industry to ease capacity issues by spreading out the harvest. It is also understood that early fish will be more attractive to the markets that desire high quality fresh fish, and that there is concern among segments of the fishing community about the possibilities of catch limits being imposed by processors in 2008. Existing management plans attempt to balance the biological issues and the potential lost opportunity concerns in the best long term interest of the resource and its user groups. The public process has offered the Board multiple opportunities to consider the option of expanding fishing area outside of existing districts since 2005.