



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

## Department of Fish and Game

DIVISION OF COMMERCIAL FISHERIES  
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RC 52

### MEMORANDUM

TO: John Jensen, Chair  
Alaska Board of Fisheries

DATE: December 5, 2017

THRU: Scott Kelly, Director  
Division of Commercial Fisheries

SUBJECT: Petition to extend the Fall  
Season commercial fishing  
season in Yukon River,  
District 6

FROM: John Linderman, AYK Regional Supervisor  
Division of Commercial Fisheries

This letter provides Alaska Department of Fish and Game (department) staff assessment of a petition submitted by John Krieg dated October 12, 2017 to the Alaska Board of Fisheries (board) to consider an emergency action out of cycle.

#### Action Requested

This petition requests the board remove the language in 5 AAC 05.310 (4) that closes the commercial salmon fishing season in District 6 on or before October 1.

#### Background

The market for commercially harvested fall chum salmon in the Tanana River Drainage has shifted from primarily a roe market to dog food market. Buyers of fall chum salmon for dog food do not buy the fish until weather cools down to prevent spoiling. In recent years, Interior Alaska has seen warmer fall temperatures extending later into October. Commercial fishermen in District 6 of the Tanana River don't begin fishing until mid-September. Currently the commercial fishery closes by regulation on or before October 1, however there is a high market demand for fish beyond October 1.

By September 15, much of the Tanana River fall chum salmon run has entered the drainage and escapement goals have been assessed. When the fall chum salmon commercial roe fishery was more popular, there were many more fish wheels operating in District 6 than currently and commercial fishing activity started in August. The current commercial closure date for District 6 was established based on timing of the previous roe-based fishery. Now that the fishery has changed, there are only four fish wheels operating in the district and fishery timing has shifted later. The proponent is seeking flexibility in the season closure date so that commercial salmon fishermen in District 6 can meet market demands.

**Finding of Emergency**

Under the criteria listed in the Joint Board Petition Policy used by the board in determining whether or not an emergency exists, paragraph (f) of 5 AAC 96.625 reads, in pertinent part:

...In this section, an emergency is 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.

At this time, there is an unforeseen or unexpected resource situation where a biologically allowable resource harvest would be precluded by delayed regulatory action, which would be significantly burdensome because the foregone chum salmon harvest would be unavailable in the future, because the October 1 fishing season closure precludes full utilization of the District 6 fall chum salmon return.

**Summary**

While fishing seasons for the District 6 fall chum salmon commercial fishery could have been addressed as an Agenda Change Request during the 2017 Board of Fisheries Work Session, a finding of emergency under 5 AAC 96.625 (f) for the 2018 fishing season may be justified because, without regulatory action before the 2018 fishing season, it is likely a biologically allowable harvest of District 6 fall chum salmon would be delayed or precluded for the 2018 commercial fishing season. If the board determines that an emergency exists and considers regulatory action, there is enough time remaining before the 2018 season to promulgate non-emergency regulations.

cc: Sam Cotten, Commissioner  
Glenn Haight, Executive Director, Boards Support Section  
Forrest R. Bowers, Deputy Director, Division of Commercial Fisheries  
Lisa Olson, Deputy Director, Division of Subsistence  
Tom Taube, Deputy Director, Division of Sport Fish