

ALASKA DEPARTMENT OF FISH AND GAME

**STAFF COMMENTS
ON
AGENDA CHANGE REQUESTS**

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

October 17–19, 2017



Regional Information Report No. 1J2017-10

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 17–19, 2017 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.

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 17–19, 2017 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.

Key words: 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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Acronyms and Abbreviations

The following acronyms and abbreviations are used without definition in this report 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.

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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

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Yukon Area Northern Pike Fishery (1)

ACR 1 – Decrease the size of the area closed to subsistence fishing through the ice for northern pike on the Chatanika River (5 AAC 01.244).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: Reduce the area closed to subsistence fishing for northern pike through the ice in the Chatanika River drainage from three river miles to one river mile upstream of the confluence of the Chatanika River and Goldstream Creek.

PRESENT SITUATION: Current regulations prohibit subsistence fishing for northern pike through the ice in the Chatanika River from the confluence of Goldstream Creek to an ADFG marker 3 river miles upstream from the confluence (5 AAC 01.244 (b)(2)(G)).

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 current regulation was adopted by the Board of Fisheries to prevent overharvest of large, mature, female pike that concentrate in an overwintering area, a portion of which includes the current closed area. Subsistence fishing is open through the ice in approximately 9 miles of the Chatanika River upstream of the closed area and approximately 28 miles of the Chatanika River below the current closed area, as well as in Goldstream Creek and almost all of Minto Flats, including the Tolovana and Tatalina rivers.

PROPOSED BY: Fairbanks Fish and Game Advisory Committee.

Aleutian Islands King Crab Fishery (1)

ACR 2 – Repeal fixed total allowable catch (TAC) and adopt an Aleutian Islands golden king crab harvest strategy using biomass estimates generated from the Alaska Department of Fish and Game stock assessment model to establish TAC (5 AAC 34.612).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: Create a new harvest strategy to set annual harvest limits for Aleutian Islands gold king crab (AIG) based on new stock assessment model results, and to repeal current TACs fixed in regulation. No specific harvest strategy provisions are provided in the ACR.

PRESENT SITUATION: The AIG fisheries were rationalized by the NPFMC prior to the 2005/06 season and the stock is managed as two separate fisheries, east and west of 174° W long, with a TAC set for each fishery. The TAC is further allocated by NMFS as 90% to IFQ and 10% to CDQ.

Until an AIG crab stock assessment model is established by the department and a harvest strategy is adopted by the board, TACs are fixed in regulation at 3.31 million pounds for the eastern Aleutian Islands (EAG) and 2.98 million pounds for the western Aleutian Islands (WAG). The AIG fisheries open by regulation on August 1 and close by regulation on May 1.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** Yes. For the 2016/17 and 2017/18 seasons, the department decreased the TAC in the WAG from 2.98 million pounds to 2.24 million pounds in response to declining fishery performance, high proportions of recruits in the retained catch, and decreases in average weight. Although staff may reduce TACs in response to conservation concerns, the amount of data available to inform TAC reductions is limited and challenging to interpret. This confounds staff's ability to specify what level of TAC reduction provides adequate conservation benefit to the stock and thus increases uncertainty in management. Conversely, fishery performance and preliminary survey data suggest the regulatory TAC in the EAG (3.31 million pounds) may be conservative relative to stock condition, potentially resulting in foregone harvest for the fleet. A regulatory harvest strategy based on annual biomass estimates will allow the department to set TACs in accordance with sustained yield principles and respond to changes in golden king crab biomass.
- 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: Starting in 1996, the AIG fishery has been managed under a constant-catch harvest strategy. Under this approach, the TACs are fixed in

regulation but the department may reduce regulatory harvest levels based on the best scientific information available, fishery performance measures, reliability of available estimates, uncertainty, and other factors necessary to avoid overfishing and to maintain consistency with sustained yield principles. The department may not increase annual TACs above the regulatory limits.

The Aleutian Islands golden king crab stock assessment model has been in development since the mid-2000s. After substantial review, the NPFMC Crab Plan Team and Scientific and Statistical Committee formally recommended and adopted for the first time an AIG stock assessment model in spring of 2017. This action occurred shortly after the board concluded the regular cycle meeting addressing king and Tanner crab in March 2017. Following model adoption, department staff began preliminary investigation of a new harvest strategy that uses outputs from the stock assessment model. The initial framework includes using model derived estimates to set minimum biomass levels necessary for a fishery to occur, establishing a range of annual exploitation rates that are responsive to stock condition and consistent with harvest strategies for other regional crab stocks, and a setting a limit on the proportion of legal crab that could be harvested in any given year. During this early development department staff and federal scientists have worked collaboratively with industry to ensure a comprehensive management approach is advanced.

The Aleutian King Crab Research Foundation and the department are additionally engaged in a cooperative project to conduct stock assessment surveys during the open fishing season using commercial vessels with department staff on board. The EAG has been surveyed annually since 2015. A survey for the WAG is in development. Survey data will be incorporated into the stock assessment model as they become available.

Should the board accept this ACR, final deliberation during March 2018 would provide adequate time for staff to fully develop the analysis and allow for implementation prior to the next fishing season.

Harvest levels are a Category 2 management measure under the *Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs* (FMP; FMP Section 8.2.5 Fishing Seasons). Category 2 management measures should be consistent with the criteria set out in the FMP and the Magnuson – Stevens Fishery Conservation and Management Act National Standards.

PROPOSED BY: Aleutian King Crab Research Foundation

Kuskokwim River Salmon Fisheries (5)

ACR 3 – During times of Kuskokwim River king salmon conservation allow use of set gillnets with 5 ½” mesh to harvest salmon other than king salmon and other non-salmon fish species for subsistence purposes (5 AAC 01.270).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This would allow use of 5 ½” mesh set gillnets to harvest salmon other than king salmon and other nonsalmon fish species during times of king salmon conservation.

PRESENT SITUATION: The board has made a positive C&T finding for king, chum, sockeye, coho, and pink salmon in the Kuskokwim River drainage. The ANS for king salmon is 67,200–109,800 fish. During times of Kuskokwim River king salmon conservation one or more of the following gear limitations may be implemented by emergency order: a gillnet mesh size may not exceed four inches and the gillnet may only be operated as a set gillnet; and no part of a set gillnet may be more than 100 feet from the ordinary high water mark.

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 current regulation was adopted by the Board of Fisheries to allow harvest of nonsalmon species during times of king salmon conservation. Subsistence fishermen may already use gillnets of any size prior to the pre-season closure, which has started on May 20 in the past two seasons, and which ends on June 11 by regulation. During the May 20–June 11 closure, when king salmon are the predominant salmon species present, use of salmon-specific gillnets is contrary to the goal of conserving king salmon. Following the May 20–June 11 closure, opportunity is provided for salmon as warranted with 6” or less gillnets which may be operated as set or drift gillnets with length specified by the department of up to 50-fathoms during times of king salmon conservation.

PROPOSED BY: Kwethluk Joint Group [Organized Village of Kwethluk, Kwethluk Indian Reorganization Act Council (Tribe), City of Kwethluk, Kwethluk City Council (Municipality) and Kwethluk Incorporated Board of Directors (Village Corporation)].

ACR 4 – Allow set gillnets to be operated for subsistence purposes within 30 feet of each other in that portion of the Kuskokwim River drainage from the north end of Eek Island upstream to the mouth of the Kolmakoff River (5 AAC 01.270 (e)).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This seeks to allow a set gillnet located within a tributary of that portion of the Kuskokwim River from the north end of Eek Island upstream to the mouth of the Kolmakoff River to be set or operated within 30 feet of another set gillnet.

PRESENT SITUATION: There is a positive C&T for king, chum, sockeye, coho, and pink salmon, and all other finfish, in the Kuskokwim River drainage. The board has made ANS findings for salmon, but not for other finfish. In that portion of the Kuskokwim River drainage from the north end of Eek Island upstream to the mouth of the Kolmakoff River, no part of the set gillnet located within a tributary to the Kuskokwim River may be set or operated within 150 feet of any part of another set gillnet by regulation.

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: Current regulations regarding set gillnet spacing in the Kuskokwim River drainage are meant to minimize gear conflicts between users and allow for adequate salmon escapement. Spacing nets more closely has potential to increase the density of subsistence set gillnets by concentrating effort, potentially shifting harvest patterns and increasing user conflicts. Concentrating effort may increase salmon harvest downstream of assessment projects, creating greater management uncertainty and subsequently necessitating a more conservative management approach (less subsistence salmon fishing opportunity). An unintended consequence may be the increase of total gear used in the subsistence salmon fishery which may negatively impact salmon populations.

PROPOSED BY: Kwethluk Joint Group [Organized Village of Kwethluk, Kwethluk Indian Reorganization Act Council (Tribe), City of Kwethluk, Kwethluk City Council (Municipality) and Kwethluk Incorporated Board of Directors (Village Corporation)].

ACR 5 – Close sport fishing for king salmon in the Kuskokwim River drainage when other Kuskokwim River fisheries are closed to the taking of king salmon (5 AAC 71.010 and 5 AAC 07.365).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: During times of king salmon conservation, all waters draining into the Kuskokwim River will be closed to sport fishing for king salmon unless the king salmon conservation has been lifted for all users in the Kuskokwim River drainage.

PRESENT SITUATION: The bag and possession limit for king salmon in the Kuskokwim-Goodnews Area is three fish, of which only two fish may be 28 inches or greater in length. In all waters of the Kuskokwim River downstream of the Holitna River, king salmon may be taken only from May 1 through July 25.

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: Sport fishing for king salmon has been closed in the salmon spawning tributaries or in the entire Kuskokwim River Drainage pre-season or at the beginning of the season by emergency order since 2011 in response to projections of weak king salmon runs and in anticipation of subsistence fishing restrictions. Sport fishing is normally closed or highly restricted for any species when subsistence closures or restrictions are implemented for that species.

PROPOSED BY: Kwethluk Joint Group (Organized Village of Kwethluk, Kwethluk Indian Reorganization Act Council (Tribe), City of Kwethluk, Kwethluk City Council (Municipality) and Kwethluk Incorporated Board of Directors (Village Corporation)).

ACR 6 – Close sport and subsistence hook and line fishing for king salmon in the Aniak River when other Kuskokwim River fisheries are closed to the taking of king salmon (5 AAC 01.295, 5 AAC 71.010 and 5 AAC 07.365).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: During times of king salmon conservation taking of king salmon in the Aniak River by sport fishing or subsistence hook and line fishing is prohibited unless the king salmon conservation has been lifted for all users in the Kuskokwim River drainage.

PRESENT SITUATION: In the Aniak River, the sport bag and possession limit for king salmon 20 inches or greater in length is two fish, with an annual limit of two fish 20 inches or greater in length; a sport angler fishing for king salmon must possess and complete a current year's nontransferable harvest record as specified in 5 AAC 75.006. (5 AAC 71.010 (c)(3)(A))

From June 1 through August 31, when subsistence fishing with a hook and line attached to a rod or pole, in that portion of the Aniak River drainage upstream of Doestock Creek, the bag and possession limit for king salmon is two fish, with no size or annual limits. (5 AAC 01.295)

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: Sport fishing for king salmon has been closed in the Aniak River Drainage preseason or at the beginning of the season by emergency order since 20012 in response to projections of weak king salmon runs and in anticipation of subsistence fishing restrictions. Sport fishing is normally closed or highly restricted for any species when subsistence closures or restrictions are implemented for that species.

PROPOSED BY: Kwethluk Joint Group (Organized Village of Kwethluk, Kwethluk Indian Reorganization Act Council (Tribe), City of Kwethluk, Kwethluk City Council (Municipality) and Kwethluk Incorporated Board of Directors (Village Corporation)).

ACR 7 – Close all fishing in non-salmon spawning rivers of the Kuskokwim River within one mile of the confluence during times of king salmon conservation (5 AAC 01.260, 5 AAC 71.010 and 5 AAC 07.365).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: During times of king salmon conservation all nonsalmon spawning tributaries of the Kuskokwim River would be closed to all fishing from their confluence with the Kuskokwim River to a point one mile upstream of their confluence with the Kuskokwim River.

PRESENT SITUATION: Commercial fishing for salmon is closed in all tributaries of the Kuskokwim River all year by regulation (5 AAC 07.350). There are sport fishing bag and size limits and some seasonal restrictions for both salmon and most resident species in all nonsalmon spawning tributaries of the Kuskokwim River (5 AAC 71.010). Sport fishing for king salmon has been closed drainagewide by emergency order preseason or early season in recent years due to anticipated subsistence closures or restrictions. Subsistence fishing is generally open all year in Kuskokwim River tributaries by regulation (5 AAC 01.260).

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: Both salmon and nonsalmon subsistence and sport fisheries are managed by emergency order inseason based on abundance and harvest. Under current regulations and harvest trends, there are no biological concerns that would require the closing of all fishing for all species in a nonsalmon spawning stream even in a time of king salmon conservation.

PROPOSED BY: Kwethluk Joint Group (Organized Village of Kwethluk, Kwethluk Indian Reorganization Act Council (Tribe), City of Kwethluk, Kwethluk City Council (Municipality) and Kwethluk Incorporated Board of Directors (Village Corporation)).

Cook Inlet Area Salmon Fisheries (3)

ACR 8 – Close a portion of the Big River to sport fishing and reduce the bag limit for salmon, other than king salmon, in the South Fork and tributaries of Otter Lake (5 AAC 62.122).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This agenda change request seeks to protect salmon in the South Fork of Big River by closing a section of river open to sport fishing and reducing the harvest of coho and sockeye salmon in the Big River Lakes area.

PRESENT SITUATION: Limits for salmon, other than king salmon, 16 inches or greater in length are three per day, six in possession. A coho salmon removed from the water must be retained and becomes part of the bag limit of the person originally hooking it.

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 directly monitor coho or sockeye salmon escapement on West Cook Inlet area streams and there are no sockeye or coho salmon escapement goals established for Big River. The department primarily relies on the Statewide Harvest Survey, guide logbooks, and angler reports to monitor changes in sport fishery effort and harvest over time. Based on this information, there currently are no conservation concerns for coho or sockeye salmon stocks in the Big River drainage. The sport fishery is managed under conservative regulations to ensure sustainable harvest over a wide range of conditions.

PROPOSED BY: Stephen F. Stringham

ACR 9 – Reduce the bag limit for salmon, other than king salmon, from three to two fish in Otter Lake and its tributaries (5 AAC 62.122).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This agenda change request seeks to reduce the harvest of coho and sockeye salmon returning to spawn in Otter lake and its tributaries.

PRESENT SITUATION: Limits for salmon, other than king salmon, 16 inches or greater in length are three per day, six in possession. A coho salmon removed from the water must be retained and becomes part of the bag limit of the person originally hooking it.

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 directly monitor coho or sockeye salmon escapement on West Cook Inlet area streams and there are no sockeye or coho salmon escapement goals established for Big River. The department primarily relies on the Statewide Harvest Survey, guide logbooks, and angler reports to monitor changes in sport fishery effort and harvest over time. Based on this information, there currently are no conservation concerns for coho or sockeye salmon stocks in the Big River drainage. The sport fishery is managed under conservative regulations to ensure sustainable harvest over a wide range of conditions.

PROPOSED BY: Stephen F. Stringham

ACR 10 – Close and open all commercial, personal use and sport fisheries concurrently when salmon escapement goals are not going to be achieved in Upper Cook Inlet (5 AAC 21.363, 5 AAC 56.122, 5 AAC 57.121, 5 AAC 57.122, 5 AAC 57.123 and 5 AAC 77.540).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This agenda change request would require the department to simultaneously close and open all Upper Cook Inlet fisheries, other than subsistence fisheries, any time an escapement goal was projected to not be achieved. It is unclear how many fisheries would be expected to be closed if one stock was not projected to not make its escapement goal.

PRESENT SITUATION: The department manages fisheries in Upper Cook Inlet in accordance with management plans and regulations set forth and adopted by the board. The sustainable harvest of all salmon species in Upper Cook Inlet is governed by comprehensive management plans specific to different areas and drainages, and for different types of fisheries. Restrictions or closures to fisheries are based on a number of considerations, including allocation to that fishery by the board, the harvest potential of each fishery, potential effects on mixed stock fisheries, and estimated run timing and strength.

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: In 2017, the department closed the July 24 and July 27 regularly scheduled fishing periods in the Central District drift and Upper Subdistrict set gillnet commercial fisheries. These actions were taken because inriver run projections for Kenai River late-run sockeye salmon indicated the inriver goal range of 900,000–1,100,000 fish would likely not be met without a reduction in harvest. The cumulative sockeye salmon harvest in these two fisheries through July 20 was 1.28 million fish, while the estimated sockeye salmon passage in the Kenai River through July 20 was 265,000 fish. Kenai River inriver sport and personal use fisheries were not restricted or closed at this time. As a result of the commercial fishing closures, Kenai River daily sockeye salmon passage estimates increased and commercial fishing resumed on July 29. It should be noted the department usually restricts commercial fisheries first in these types of situations due to their harvest potential and would have restricted sport and personal use fisheries if the passage of sockeye salmon had continued to remain low in the Kenai River and additional conservation measures were necessary to achieve the sustainable escapement goal (SEG) of 700,000–1,200,000 fish.

In northern Cook Inlet, the department prohibited the use of bait in the Little Susitna River sport fishery on August 6 because inseason projections showed that the coho salmon SEG of 10,100–17,700 fish may not be achieved if the fishery remained unrestricted. Based on the projection of not meeting the minimum SEG without a reduction in harvest of this stock, the department also reduced the area open to the commercial drift fishery for three regular periods and reduced the open fishing hours in the commercial set gillnet fishery in all of the Northern District for one regular period and in part of the Northern District for four regular periods. On August 23, the department allowed the use of bait in the Little Susitna River sport fishery, and in response to this action, all of the Northern District set gillnet fishery returned to fishing 12-hour regular periods, beginning on Thursday, August 24.

In 2017, all sockeye and coho salmon escapement goals for Upper Cook Inlet were achieved or exceeded. However, because sockeye and coho salmon stocks were late in their run timing, inseason assessments indicated escapement objectives might not be met and restrictive actions were taken in sport and commercial fisheries to reduce harvest. All salmon stocks exhibit variable run timing; coho salmon run timing, in particular, can be highly variable within their natal streams, as movement into and up rivers is often affected by water flow and water temperature.

PROPOSED BY: Karen Craig

Kodiak Area Salmon Fisheries (1)

ACR 11 – Adopt a new management plan capping weekly and seasonal commercial sockeye salmon harvest in certain portions of the Kodiak Management Area (5 AAC 18.XXX).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This seeks to institute weekly and seasonal sockeye salmon harvest caps to limit the harvest of nonlocal sockeye salmon during the local KMA sockeye, pink, and chum salmon fisheries in the last week of June through July. These caps would apply to sockeye salmon harvested under existing local stock management plans including the Alitak District, Westside Kodiak, North Shelikof Strait, and Eastside Kodiak management plans and would close much of the KMA to commercial salmon fishing once that cap is met.

PRESENT SITUATION: The *Alitak District Salmon Management Plan* (5 AAC 18.361), the *Westside Kodiak Salmon Management Plan*, (5 AAC 18.362), and the *Eastside Kodiak Salmon Management Plan* (5 AAC 18.367) encompass six districts and 36 sections and are all based on traditional salmon fisheries targeting local KMA sockeye, pink, chum and coho salmon. These plans are the long-term realization of past management practices that have been in place for nearly 50 years.

These three management plans target local salmon species with overlapping run timing. The plans provide a predictable management framework for local early-run and late-run sockeye salmon as well as Kodiak's pink, chum and coho salmon stocks. This blended management between multiple salmon species, throughout numerous sections, over varying time periods helps ensure local salmon escapement, while conducting orderly fisheries between gear groups, as well as providing the highest quality fish.

In addition to the three management plans, the KMA harvest strategy for pink salmon also utilizes a fixed opening date (July 6). Additionally, wild stock pink forecasts set the length of the initial fishing periods, and there is coordination of multiple fisheries whenever possible to disperse the purse seine fleet. This strategy has been employed for over 30 years because the department recognized there were some non-local stocks of sockeye salmon being caught in conjunction with pink salmon harvest and the period-based fisheries allowed passage of both local and non-local stocks.

The purpose of the *North Shelikof Strait Sockeye Salmon Management Plan* (5 AAC 18.363) is to prevent the repetition of a nontraditional harvest pattern that occurred in 1988. When sockeye salmon harvest caps are achieved the department restricts the fishery by emergency order to areas inside boundaries of the North Shelikof Management Unit and Southwest Afognak Management Unit.

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: Beginning in the late 1970s the board established numerous management plans defining how different portions of KMA will be managed (e.g., Cape Igvak, Alitak Bay, and Westside). Central to these plans was to protect local salmon stocks using sustainable management practices while maintaining traditional fishing opportunities. Parts of these plans also provide direction with regard to allocations among gear types within the KMA and allocations between areas outside of the KMA. Inherent to these plans was the recognition that some of the local stock managed fisheries include the harvest of nonlocal salmon, including stocks traveling to other areas of Kodiak Island and the mainland as well as salmon originating outside of the KMA.

Previous boards have recognized that changes to long established traditional KMA fisheries would significantly reallocate local stocks between different gear groups within the KMA and would make managing local stocks in accordance to sustained yield principles more difficult.

PROPOSED BY: United Cook Inlet Drift Association

Alaska Peninsula Area Salmon Fisheries (1)

ACR 12 – Reduce harvest of sockeye salmon near the Dolgoi Islands area by reducing harvest triggers and expanding area closures when harvest triggers are met (5 AAC 09.365 and 5 AAC 09.366).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This proposes two alternatives to change 5 AAC 09.365 and 5 AAC 09.366.

The first alternative requests the harvest limit be reduced to 155,000 sockeye salmon, based on fish tickets, to trigger area closures currently described in 5 AAC 09.365(f) and 5 AAC 09.366(j) and to expand the area closures to include statistical areas 283-15 through 283-26 and 284-36 through 284-42 if the sockeye salmon harvest reaches 200,000 fish.

The second alternative requests a new management plan be created for the “Dolgoi Island Area” within 5 AAC 09.365 and 5 AAC 09.366. It requests that:

5 AAC 09.365(f) be replaced with:

(f) Dolgoi Island Area June Management Plan.

(1) In years when a harvestable surplus beyond escapement goals for the first and second runs of Chignik River system sockeye salmon is expected to be more than 600,000, the department shall manage the June fishery in the Dolgoi Island Statistical Areas 283-15 through 283-26 and 284-36 through 284-42 commercial fishing periods as follows:

(a) beginning on June 7, commercial fishing periods will begin at 6:00 a.m. and run 66 hours until midnight two days later, then close for 52 hours, and then reopen at 6:00 a.m. three days later;

(b) notwithstanding subparagraph (1) of this section, the final commercial fishing period will end at midnight on June 27.

(g) In years when a harvestable surplus beyond escapement goals for the first and second runs of Chignik River sockeye salmon is expected to be less than 600,000, no June commercial salmon fishery shall occur in the Dolgoi Island Statistical Areas until a harvest of 300,000 sockeye salmon in the Chignik Area is achieved.

(h) All terminal harvest areas are excluded from subsections (f)(1)(a) and (b) of this section.

5 AAC 09.366 be amended to add new subsections to read:

(g) Dolgoi Island Area July 6-25 Management Plan. In years when a harvestable surplus beyond escapement goals for the first and second runs of Chignik River sockeye salmon is expected to be less than 600,000 there will be no commercial salmon fishery allowed in the Dolgoi Island Area (Statistical Areas 283-15 through 283-26 and 284-36 through 284-42)

until a harvest of 300,000 sockeye salmon in the Chignik Area is achieved. After July 8, after at least 300,000 sockeye salmon have been harvested in the Chignik Management Area, and provided escapement goals are being met, the department shall manage the Dolgoi Island Area fishery through July 25 to where the commissioner may establish by emergency order, commercial fishing periods as follows:

(1) the first fishing period will begin at 6:00 a.m. and run 24 hours until the following day; commercial fishing will then close for 72 hours and then reopen under (2) of this section;

(2) following the closure under (g) of this section, commercial fishing periods will begin at 6:00 a.m. and run for 27 hours until at 9:00 a.m. of the following day; commercial fishing will then close for 69 hours and re-open at 6:00 am three days later.

(3) All terminal harvest areas as specified in regulation are excluded from subsections (1) and (2) of this section.

PRESENT SITUATION: During the February 2016 Alaska Peninsula, Aleutian Islands, and Chignik meeting, the board made changes to the *South Unimak and Shumagin Islands June Salmon Management Plan* (5 AAC 09.365) and the *Post-June Salmon Management Plan for the South Alaska Peninsula* (5 AAC 09.366) by adopting regulations to limit the number of sockeye salmon harvested in the Western Alaska Salmon Stock Identification Program (WASSIP) described “Dolgoi Island Area” (statistical areas 283-15 through 283-26 and 284-36 through 284-42). From June 1 through July 25, there is a harvest limit of 191,000 sockeye salmon that can be harvested in these areas, based on fish ticket information. Once this harvest limit is reached, the portion of the West Pavlof Bay Section south of Black Point (statistical area 283-26) and waters of the Volcano Bay Section (statistical areas 284-37 through 284-39) will be closed to commercial salmon fishing through July 25. However, the portion of West Pavlof Bay Section south of Black Point (statistical area 283-26) may reopen to commercial salmon fishing on July 17.

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 current harvest trigger is based on fish ticket landings which means that management action cannot be taken until 191,000 sockeye salmon have been harvested, sold, and had a fish ticket created for the sale. In this regard, the 191,000 sockeye salmon harvest limit acts as more of a “trigger” than a “cap.” This trigger will always be exceeded by some amount because between the time the trigger is reached and the announcement of a fishery closure, more fish will have been harvested.

The amount of sockeye salmon harvested beyond the 191,000 trigger will be dependent on run timing, run strength, and fleet effort at the time the trigger is activated.

During the 2016 salmon season, this harvest trigger was reached and an announcement was made with 12-hours' notice of closure to the fleet. Following the 2016 season, many discussions were had about the interpretation of this regulation. After meeting with stakeholders from both Chignik and Alaska Peninsula areas, it was agreed by both stakeholder groups that 6-hours' notice of closure would reduce the potential amount of harvest occurring between when the 191,000 sockeye salmon harvest limit was triggered and when the closure occurred, and still allow the Alaska Peninsula Area fleet enough time to safely comply with the closure. In 2017, 6-hours' notice of closure was given as was agreed upon by both stakeholder groups.

Once the 191,000 sockeye salmon harvest limit is reached, portions of the Dolgoi Island Area close, while other portions of the Dolgoi Island Area remain open (Figure 1). For this reason, the total harvest in the Dolgoi Island Area continues to grow even after the harvest limit has been surpassed and subsections have been closed as in regulation.

PROPOSED BY: Chignik Regional Aquaculture Association

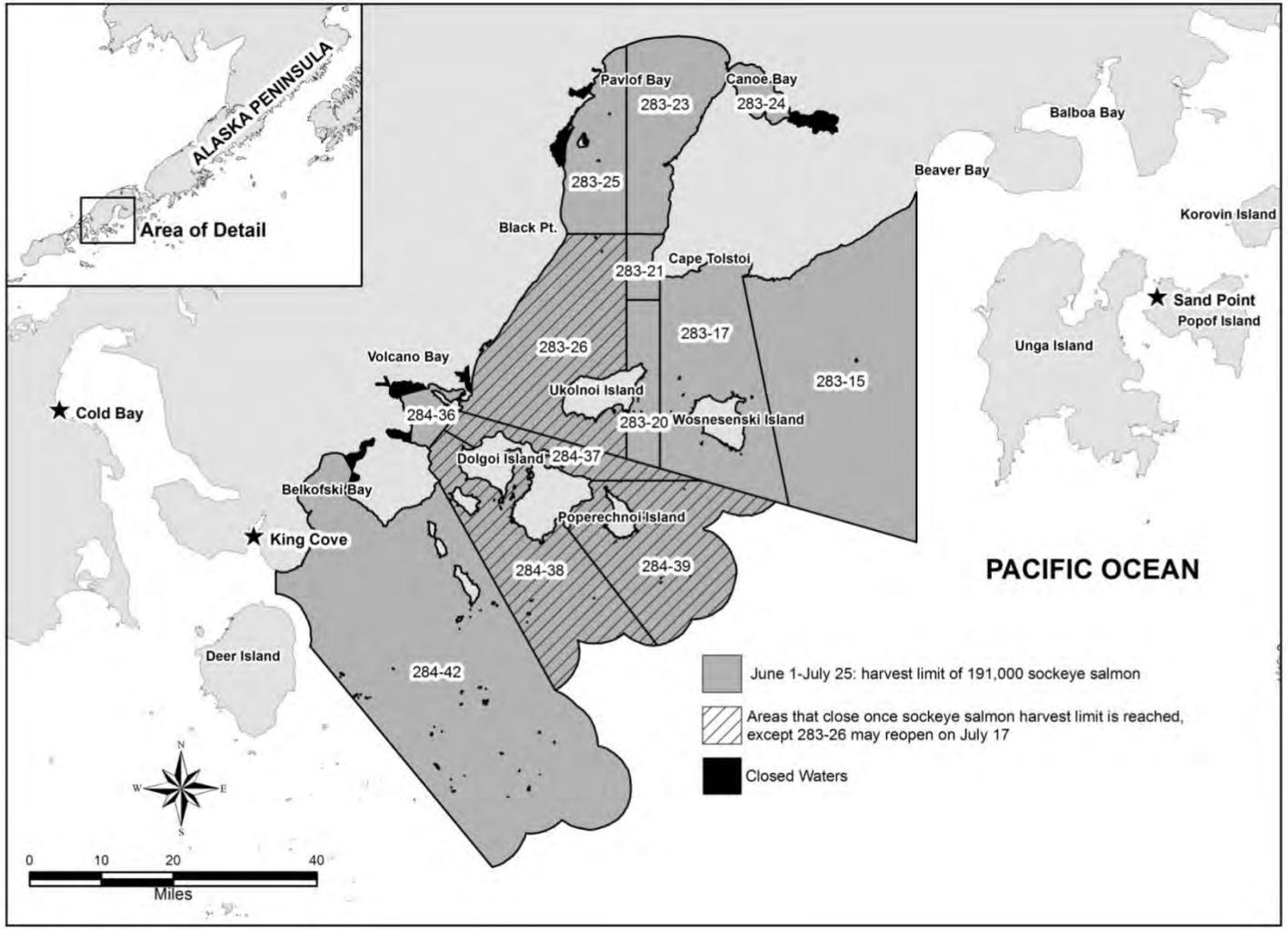


Figure 1.—Map of the Dolgoi Island Area (salmon statistical areas 283-15 through 283-26 and 284-36 through 284-42) with current regulation defined closure areas cross hatched.

Yukon River Salmon Fisheries (6)

ACR 13 – Allow use of drift gillnets to harvest salmon for subsistence purposes in Yukon River Districts 4-B and 4-C (5 AAC 01.220).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This would allow drift gillnet gear to be used in Yukon River Districts 4-B and 4-C to take salmon for subsistence uses.

PRESENT SITUATION: There is a positive C&T finding for king, summer chum, fall chum, coho, and pink salmon in the Yukon Area. The ANSs are 45,500–66,704 king salmon, 83,500–142,192 summer chum salmon, 89,500–167,900 fall chum salmon, 20,500–51,980 coho salmon, and 2,100–9,700 pink salmon. Current regulations prohibit subsistence salmon fishermen in Districts 4-B and 4-C from using drift gillnet gear to harvest salmon for subsistence uses. Under current regulations subsistence salmon fishermen in Districts 4-B and 4-C may use, dip nets, beach seines, fish wheels, and set gillnets to harvest subsistence salmon, fishery openings, closures, and gear types are implemented by emergency order.

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: Subsistence fishermen have noted that there are limited fishing sites for stationary gear around Ruby and Galena. Presently, a number of fishermen from Galena travel downriver to District 4-A to subsistence fish with drift gillnets for king salmon. Cone Point, the boundary between District 4-A and Districts 4-B and 4-C, is approximately 16 river miles downstream from Galena. Subsistence fishermen in District 4-A have reported an increasing number of fishermen fishing in the district and that there is increased competition for available drift sites.

PROPOSED BY: Louden, Nulato, and Koyukuk Tribes.

ACR 14 – Repeal the prohibition on subsistence fishing in Yukon River Districts 1 and 2 during the first pulse of king salmon (5 AAC 05.360).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This would allow subsistence fishing in Yukon River Districts 1 and 2 during the first pulse of king salmon, which is currently prohibited for king salmon conservation.

PRESENT SITUATION: There is a positive C&T for king, summer chum, fall chum, coho, and pink salmon in the Yukon Area. The ANS for king salmon is 45,500–66,704 fish. In Yukon River Districts 1 and 2, to account for the uncertainty in the preseason king salmon run projection, the department shall manage the king salmon subsistence fishery conservatively and not open any subsistence fishing periods during the first pulse of king salmon entering the districts.

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. When the Yukon River king salmon run is strong and fishing restrictions are not needed to meet escapement goals, there is not clear language addressing potential harvest of surplus king salmon during the first pulse, in Districts 1 and 2.

ADDITIONAL INFORMATION: Currently the department does not have flexibility to allow king salmon fishing during the first pulse of king salmon in Yukon Area Districts 1 and 2 regardless of run size. Complicating this closure provision is that pulses of king salmon in the Lower Yukon Test Fishery (LYTF) in Emmonak can be hard to detect, and in some years, the first pulse is not detected until it passes Pilot Station sonar (in District 2) because estimates of daily passage are a much clearer indication of the presence of a larger group of fish than LYTF CPUE. Because of this, management of the early run has been very conservative since 2014, with fishing heavily restricted once king salmon are detected inriver. Conversely, since 2015 Yukon River king salmon run size has increased and forecasting based on juvenile abundance in the Bering Sea indicates increasing run sizes in 2018 and 2019 as well. These potential run sizes would not require subsistence fishing restrictions, and current regulation does not give managers flexibility to allow harvest on the first pulse of the run in Districts 1 and 2.

Timing of king salmon return can overlap with highly abundant summer chum; therefore Districts 1 and 2 fishermen may experience reduced efficiency in meeting their king salmon harvest needs if they fish later in the season when summer chum are highly abundant. Summer chum may be harvested during the first pulse closure with the use of selective gear types, such as dip nets and beach seines, but all king salmon must be released alive.

PROPOSED BY: Kwik'pak Fisheries, LLC

ACR 15 – Consider criteria to allow sale of Yukon River king salmon caught incidentally during open commercial fishing periods for other salmon species (5 AAC 05.360).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: The department seeks to clarify language regarding sale of incidentally caught king salmon in the *Yukon River King Salmon Management Plan*. This addresses when or if sale of incidentally caught king salmon would occur after subsistence king salmon fishery restrictions have been eliminated and king salmon escapement goals are being met, and after subsistence fishing restrictions have been lifted.

PRESENT SITUATION: If the department projects that Yukon River king salmon escapements are below escapement goals or king salmon subsistence fishing is restricted in more than one district, or portion of a district, sale of king salmon caught incidentally in commercial fisheries targeting other species of salmon is prohibited.

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 *Yukon River King Salmon Management Plan* does not provide clear direction and criteria for lifting a prohibition on sale of incidentally caught king salmon.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** Yes. Regulatory direction and triggers for prohibiting sale of incidentally caught king salmon in Yukon River commercial salmon fisheries is well defined; however, regulatory direction and criteria for lifting a prohibition on sale of incidentally caught king salmon that is no longer needed are ambiguous, resulting in potential foregone economic opportunity.

ADDITIONAL INFORMATION: The prohibition on sale of king salmon caught incidental to summer chum salmon directed fishing was maintained for the duration of the 2017 Summer Season commercial fishery. The prohibition on sale of incidentally caught king salmon was temporarily lifted at the start of the Fall Season commercial fishery in District 1 as approximately 99% or more of the king salmon run had passed through District 1 and the 2017 king salmon run was assessed as average to above average. After review of the Yukon River King Salmon Management Plan, 5 AAC 05.360 (i), the department concluded that it was unclear whether the Board of Fisheries intended the prohibition on sale of incidentally caught king salmon to be maintained during the Summer and/or Fall Season commercial fisheries once king salmon subsistence fishing is no longer restricted in more than one district or portion of a district. Applying precaution, and attempting to implement the intent of the board despite ambiguous regulations, the department concluded that the prohibition on sale of incidentally caught king salmon for the 2017 Summer Season commercial fishery would remain in place for the remainder of 2017. This ACR is similar to ACRs 16 and 17 submitted by Kwik'pak Fisheries, LLC.

PROPOSED BY: Alaska Department of Fish and Game

ACR 16– Allow sale of incidentally caught Yukon River king salmon during the summer season when status of the king salmon stock that triggered prohibition of sale has improved or that stock is no longer present in a given fishing area (5 AAC 05.360).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: The sale of incidentally-caught king salmon in the summer chum salmon gillnet commercial fishery has been recently prohibited. This would allow sale of incidentally-caught king salmon during times when conservation actions have been lifted and king salmon stocks being harvested are not those for which conservative actions were taken.

PRESENT SITUATION: If the department projects that Yukon River king salmon escapements are below escapement goals or king salmon subsistence fishing is restricted in more than one district or portion of a district, then sale of king salmon caught incidentally in the summer chum salmon commercial fishery is prohibited.

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 *Yukon River King Salmon Management Plan* does not provide clear direction and criteria for lifting a prohibition on sale of incidentally caught king salmon.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** Yes. Regulatory direction and triggers for prohibiting sale of incidentally caught king salmon in Yukon River commercial salmon fisheries are well defined; however, regulatory direction and criteria are ambiguous for lifting a prohibition on sale of incidentally caught king salmon, resulting in potential foregone economic opportunity.

ADDITIONAL INFORMATION: The prohibition on sale of king salmon caught incidental to summer chum salmon directed fishing was maintained for the duration of the 2017 Summer Season commercial fishery. The prohibition on sale of incidentally caught king salmon was temporarily lifted at the start of the Fall Season commercial fishery in District 1 as approximately 99% or more of the king salmon run had passed through District 1 and the 2017 king salmon run was assessed as average to above average. After review of the Yukon River King Salmon Management Plan, 5 AAC 05.360 (i), the department concluded that it was unclear whether the Board of Fisheries intended the prohibition on sale of incidentally caught king salmon to be maintained during the Summer and/or Fall Season commercial fisheries once king salmon subsistence fishing is no longer restricted in more than one district or portion of a district. Applying precaution, and attempting to implement the intent of the board despite ambiguous regulations, the department concluded that the prohibition on sale of incidentally caught king salmon for the 2017 Summer Season commercial fishery would remain in place for the remainder of 2017. This ACR is similar to ACR 15 submitted by the department, and ACR 17 submitted by Kwik’pak Fisheries, LLC.

PROPOSED BY: Kwik’pak Fisheries, LLC.

ACR 17– Allow sale of incidentally caught Yukon River king salmon during the fall season when status of the king salmon stock that triggered prohibition of sale has improved or that stock is no longer present in a given fishing area (5 AAC 05.360).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: The sale of incidentally-caught king salmon in the fall chum salmon gillnet commercial fishery has been prohibited. This would allow the sale of incidentally-caught king salmon during times when conservation actions have been lifted and king salmon stocks being harvested are not those for which conservative actions were taken.

PRESENT SITUATION: If the department projects that Yukon River king salmon escapements are below escapement goals or king salmon subsistence fishing is restricted in more than one district or portion of a district, then sale of king salmon caught incidentally in the fall chum salmon commercial fishery is prohibited.

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 *Yukon River King Salmon Management Plan* does not provide clear direction and criteria for lifting a prohibition on sale of incidentally caught king salmon.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** Yes. Regulatory direction and triggers for prohibiting sale of incidentally caught king salmon in Yukon River commercial salmon fisheries are well defined; however, regulatory direction and criteria are ambiguous for lifting a prohibition on sale of incidentally caught king salmon, resulting in potential foregone economic opportunity.

ADDITIONAL INFORMATION: The prohibition on sale of king salmon caught incidental to summer chum salmon directed fishing was maintained for the duration of the 2017 Summer Season commercial fishery. The prohibition on sale of incidentally caught king salmon was temporarily lifted at the start of the Fall Season commercial fishery in District 1 as approximately 99% or more of the king salmon run had passed through District 1 and the 2017 king salmon run was assessed as average to above average. After review of the Yukon River King Salmon Management Plan, 5 AAC 05.360 (i), the department concluded that it was unclear whether the Board of Fisheries intended the prohibition on sale of incidentally caught king salmon to be maintained during the Summer and/or Fall Season commercial fisheries once king salmon subsistence fishing is no longer restricted in more than one district or portion of a district. Applying precaution, and attempting to implement the intent of the board despite ambiguous regulations, the department concluded that the prohibition on sale of incidentally caught king salmon for the 2017 Summer Season commercial fishery would remain in place for the remainder of 2017. This ACR is similar to ACR 15 submitted by the department, and ACR 16 submitted by Kwik’pak Fisheries, LLC.

PROPOSED BY: Kwik’pak Fisheries, LLC.

ACR 18 – Clarify Yukon Area District 1 boundary, allow set gillnets to be operated up to three nautical miles seaward from any grassland bank in District 1, and reduce waters closed to commercial fishing for salmon in District 1 (5 AAC 05.200, 5 AAC 05.330, and 5 AAC 05.350).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This would correctly define Yukon Area District 1 boundaries and describe the area where only set gillnet gear may be operated within Yukon Area District 1.

PRESENT SITUATION: The 2016 adoption of 5 AAC 05.330. *Gear* subsection (a) in its current form created a new drift gillnet fishery after July 15 within coastal waters of District 1 between one and three nautical miles seaward from any grassland bank.

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 original intent of the proposal that lead to creation of this new fishery was to maintain the traditional set gillnet fishery in coastal waters of District 1, not to create a new drift gillnet fishery in expanded coastal waters, and it is unclear if the board was aware of this potential effect when the regulation was adopted.

ADDITIONAL INFORMATION: This seeks guidance and clarification from the Board of Fisheries on intent regarding the set gillnet fishery in coastal waters of Yukon Area District 1 and the newly allowed drift gillnet fishery in expanded coastal waters of District 1. This issue was last addressed at the January 2016 Arctic/Yukon/Kuskokwim Board of Fisheries meeting under Proposal 128 as amended through substitute language found in RC 45. Board record is unclear as to whether or not the commercial salmon fishery in the expanded coastal district area between one and three nautical miles offshore was to be conducted with set gillnet or drift gillnet gear.

PROPOSED BY: Kwik'pak Fisheries LLC.