



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

**Department of  
Fish and Game**

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To: Mr. John Jensen, Chair  
Alaska Board of Fisheries

Date: July 10, 2018

Through: Scott Kelley, Director  
Division of Commercial  
Fisheries

From: Nick Sagalkin, Regional Supervisor  
Region IV Commercial Fisheries  
Division

Subject: Two petitions requesting the Alaska Board of Fisheries adopt emergency regulations to affect the Chignik sockeye salmon escapement.

The Bristol Bay Native Association (BBNA) submitted a petition to the Alaska Board of Fisheries (board) on June 22, 2018. Since the petition was received within 30 days before a regularly scheduled board meeting, the board's policy provides that the board will address the petition at the July 17, 2018 board meeting.

The Chignik Fish and Game Advisory Committee (AC) submitted a petition to the board on July 2, 2018. Since the petition was received within 30 days before a regularly scheduled board meeting, the board's policy provides that the petition will be addressed at the July 17, 2018 board meeting.

This letter provides information from the Alaska Department of Fish and Game (department) concerning matters raised in the petition and an assessment of the petitions in relation to criteria described in the Joint Board Petition Policy (5 AAC 96.625).

**Actions Requested of the Board**

BBNA requests the board adopt emergency regulations which would close or restrict commercial salmon fisheries in the South Peninsula and Kodiak management areas to protect Chignik-bound sockeye salmon.

The Chignik AC request is more specific than that of the BBNA petition. They request the board adopt emergency regulations which would close or restrict commercial salmon fisheries in the South Peninsula management area to protect Chignik-bound sockeye salmon.

## **Background**

### **Kodiak-Area Fisheries with Chignik-linked Management Plans**

In the Kodiak Management Area (KMA), a specific management plan for the Cape Igvak Section was adopted by the board in 1978. The Cape Igvak Salmon Management Plan (CISMP; 5 AAC 18.360) covered the time from the start of the season through July 25 for fishing activity in the Cape Igvak Section of the Mainland District. This management plan stipulated that 80% of the sockeye salmon harvest from the Cape Igvak Section during this period would be considered Chignik bound.

In 2002, the board modified the CISMP such that 90% of the Cape Igvak Section sockeye salmon catch was now considered to be Chignik bound. The CISMP allows the KMA fleet to harvest up to 15% of the total Chignik-bound sockeye salmon harvest. The CISMP also stipulates strict allocative and biological requirements. Through July 25 in the Chignik Management Area (CMA), a minimum harvest of 600,000 sockeye salmon must be expected (300,000 each for both the early and late run), and sockeye salmon escapement must be at desired levels for a harvest to be allowed. Commercial fisheries must begin in CMA before fisheries are allowed in the Cape Igvak Section.

Since this plan was adopted in 1978, the catch of Chignik-bound sockeye salmon from the Cape Igvak Section has ranged from 0% to 19.2% of the total CMA sockeye salmon harvest. In years that a fishery has been prosecuted in the Cape Igvak Section, sockeye salmon harvest has averaged 12.0% of the total CMA sockeye salmon harvest.

### **Other Kodiak Area Fisheries**

Most KMA commercial salmon fisheries are managed based on the strength of local stocks. Managers assess escapement and harvest to determine the strength of the runs. The board has adopted several management plans to guide the department in management of these fisheries. Chignik-origin sockeye salmon are caught in small numbers in these fisheries and the board has not directed the department to manage these fisheries around the presence of Chignik-origin sockeye salmon.

### **South Alaska Peninsula Fisheries with Chignik-linked Management Plans**

In the South Alaska Peninsula portion of the Alaska Peninsula Management Area (SAP), the Southeastern District Management Plan (SEDM; 5 AAC 09.360) commercial salmon fishery occurs in South Alaska Peninsula mainland waters from Kupreanof Point in the east, to McGinty Point in the west. The SEDM is subdivided into East Stepovak, Stepovak Flats, Northwest Stepovak, Southwest Stepovak, Balboa Bay, and Beaver Bay sections. The Southeastern District Management Plan was formally adopted in 1980 and prescribed that 80% of sockeye salmon harvested in SEDM are considered destined for Chignik River.

In 1985, June 1 through July 25 sockeye salmon harvest allocation criteria were added to the management plan. Since the plan was adopted, annual harvest has been between 6.0% and 7.6% of the total sockeye salmon harvest in the Chignik Management Area. Currently, SEDM is managed so that harvest in that area approaches as near as possible 7.6% of the sockeye salmon harvest in CMA through July 25. Since 1985 SEDM harvest has ranged from 0.9% (in 1989) to 11.5% (in 2005) of sockeye salmon harvested in the CMA. In 1997, 2007, 2008, and 2014, there

was no fishery in SEDM due to weak sockeye salmon returns to Chignik River. The recent 10-year (2007–2016) SEDM sockeye salmon harvest averaged 111,229 fish or 7.6% of sockeye salmon harvested in the CMA. The current management plan stipulates that 80% of sockeye salmon harvested in SEDM before July 1 are considered Chignik-bound. Beginning July 1, sockeye salmon harvested in Northwest Stepovak Section (NWSS) are considered 100% local fish and NWSS is managed on the Orzinski Lake sockeye salmon run. After July 25, all SEDM commercial fishery openings are based on the strength of local pink, chum, and coho salmon stocks.

In addition to the SEDM plan, the harvest of sockeye salmon in the Western Alaska Salmon Stock Identification Program (WASSIP) described “Dolgoi Island Area” (Statistical areas 283-15 through 284-45) is monitored through fish ticket information from June 1 through July 25. Once the harvest of sockeye salmon reaches 191,000 fish, the waters of the West Pavlof Bay Section south of Black Point and the waters of the Volcano Bay Section close to commercial salmon fishing through July 25, and commercial fisherman operating in the South Central and Southwestern districts from June 1 through July 25 are advised that short notice closure of the designated “Dolgoi Island Area” will occur in the likely event the harvest of sockeye salmon approaches the 191,000 fish. The department will to the extent practical give a minimum of 6 hours’ notice of closure to all gear types.

### **Other South Alaska Peninsula Fisheries**

The South Unimak and Shumagin Islands June fishing schedule begins with set gillnet gear on June 7 and is open for 88 hours followed by a 32-hour closure. This is followed by three 88-hour fishing periods and one 64-hour fishing period with 32 hours of closure between each. The drift gillnet and seine gear fishery opens June 10 and consists of four 88-hour period fisheries with 32-hour closures between each period fishery. These are traditional fisheries targeting mixed stocks of salmon migrating through the SAP area.

The Post-June Salmon Management Plan (5 AAC 09.366) prescribes management of SAP fisheries from July 6 through July 21: there is one 33-hour fishing period followed by a 63-hour closure. After the first fishing period, there are four 36-hour fishing periods interspersed by 60-hour closures in the Shumagin Islands Section of the Southeastern District, and the South Central, Southwestern, and Unimak districts. Additional fishing time may be allowed in terminal fishing areas based on abundance of local salmon stocks. From July 6 through July 21, terminal areas include the northern portion of Pavlof Bay, the southern portion of Zachary Bay (statistical area 282-35), and the Canoe Bay, Cold Bay, Morzhovoi Bay, and Thin Point sections. From July 22 through July 31, there are three 36-hour fishing periods interspersed by 60-hour closures. In addition to those terminal areas identified for the time frame of July 6 through July 21, the Deer Island, Belkofski Bay, and Mino Creek–Little Coal Bay sections are added. From August 1 through August 31, fishing periods are based on abundance of local sockeye, coho, pink, and chum salmon stocks. From September 1 through October 31, fishing periods are based on abundance of coho salmon stocks, although the department may consider abundance of late pink and chum salmon stocks.

There is a positive customary and traditional use finding for salmon in the Chignik Area. The board has found that 1,400–2,600 salmon other than coho salmon are reasonably necessary for subsistence uses in the Perryville and Western districts, combined. In the Chignik Bay, Central,

and Eastern districts combined the board has found 5,200–9,600 early-run and 2,000–3,800 late-run sockeye salmon are the amounts reasonably necessary for subsistence uses.

### **Chignik 2018 Sockeye Salmon Concerns and Management Actions**

In the Chignik Management Area (CMA), early-run sockeye salmon escapement through the Chignik River weir on June 18 was at an historical low. Since Statehood there had never been such record low escapement of sockeye salmon at that time through the Chignik weir. Escapement through the Chignik weir as of July 8 was 161,567 early-run sockeye salmon and 14,013 late-run sockeye salmon, well below the July 5 early-run interim escapement objective of 300,000–385,500 early-run sockeye salmon, but within the July 5 late-run interim escapement objective of 10,000–23,000 fish. Early-run sockeye salmon continue to be counted at the Chignik weir, but by July 8 around 85% of the early run is complete. It is very unlikely the Chignik River early-run sockeye salmon escapement goal range (350,000 fish) will be met in 2018. The Chignik area subsistence fishery remains open; however, no commercial fishing opportunity directed at sockeye salmon in the Chignik Management Area has been provided during the 2018 fishing season.

Past studies have shown there is a significant number of Chignik-bound sockeye salmon traversing the South Alaska Peninsula management area during June. On June 18, due to the severity of the apparent run failure, the department exercised emergency order authority to reduce duration of the seine and drift gillnet fishing period of June 27 and the set gillnet period of June 25 to 40 hours in the Unimak District, Bechevin Bay Section of the Northwestern District, Southwestern District, West and East Pavlof Bay sections, of the South Central District, and the Shumagin Islands Section of the Southeastern District. This management action was intended to increase the number of Chignik-origin sockeye salmon allowed to pass through the South Peninsula fishery and escape through the Chignik weir. The last fishing period of June was also restricted to 40 hours in length to conserve Chignik-origin sockeye salmon.

When planning for execution of the post-June South Alaska Peninsula fisheries, the department determined that while the Chignik River early-run sockeye salmon escapement goal will likely not be met, the late run is meeting interim escapement objectives. The department opened the South Alaska Peninsula commercial salmon fishery on July 6 to all gear types. As per the management plan, July fishery periods are already shorter than the June fishery periods (36 hours rather than 88 hours) and the closed periods are relatively long (60 hours) and will allow some passage of Chignik-origin sockeye salmon where no commercial fishing gear is in the water.

### **Discussion**

Under 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.

In both petitions, BBNA and the Chignik AC suggest there exists an unforeseen or unexpected situation that threatens a fish resource. The current early-run sockeye salmon escapement into the Chignik River is historically low, the second lowest since statehood, and is well below the preseason forecast level. It is reasonable to assert that the low 2018 Chignik River sockeye salmon return is an unforeseen event. However, it does not represent an event that threatens a fish resource because 2018 escapement is not below a level at which the stock's ability to sustain itself is jeopardized.

The department recognizes the 2018 Chignik River early-run sockeye salmon return is very poor. Kodiak and South Peninsula commercial salmon fisheries that are managed around abundance of Chignik-origin sockeye salmon have not opened. In addition, the department recognized the importance of conserving early-run Chignik River sockeye salmon and acted to restrict fishing in the South Peninsula Area during a time when early-run Chignik River sockeye salmon are sometimes present in relatively high abundance. Current early-run sockeye salmon escapement is not the worst on record for this date, and while escapement is not adequate to provide directed commercial sockeye salmon harvest opportunity in the CMA, the current Chignik River early-run sockeye salmon escapement level does not threaten the long-term sustainability of this stock and the department does not believe the current Chignik River early-run sockeye salmon escapement level or the harvest of some Chignik-origin sockeye salmon in KMA and SAP areas represents an emergency.

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