

## **PROPOSAL 176**

### **5 AAC 47.055. Southeast Alaska King Salmon Management Plan.**

Align regulations within the Southeast Alaska King Salmon Management Plan with the provisions of the new 2019-2028 Pacific Salmon Treaty annex, as follows:

**5 AAC 47.055. Southeast Alaska King Salmon Management Plan.** (a) The commissioner shall establish, by emergency order, the king salmon sport fish bag and possession limits and all other necessary management measures based on the **Southeast Alaska Winter Troll CPUE**. [THE PRESEASON KING SALMON ABUNDANCE INDEX DETERMINED BY THE CHINOOK TECHNICAL COMMITTEE OF THE PACIFIC SALMON COMMISSION.] The bag and possession limits and other management measures established by the commissioner will remain in effect until **January 31 of the following year**. [DECEMBER 31]. [FOR THE FOLLOWING YEAR, UNTIL THAT YEAR'S PRESEASON ABUNDANCE INDEX BECOMES AVAILABLE, THE BAG AND POSSESSION LIMITS AND OTHER MANAGEMENT MEASURES WILL BE BASED ON THE PRIOR YEAR'S PRESEASON ABUNDANCE INDEX.] If the new **Southeast Alaska Winter Troll CPUE** [PRESEASON KING SALMON ABUNDANCE INDEX] is not available by **February** [MAY] 1, the bag and possession limits and other management measures for the remainder of the year will be based on the prior year's **Southeast Alaska Winter Troll CPUE** [PRESEASON ABUNDANCE INDEX], unless superseded by emergency order.

(b) The objectives of the management plan under this section are to

- (1) manage the sport fishery to attain an average harvest of 20 percent of the annual harvest ceiling specified by the Pacific Salmon Commission, after the subtraction of the commercial net allocation specified in 5 AAC 29.060 from the harvest ceiling;
- (2) allow uninterrupted sport fishing in salt waters for king salmon, while not exceeding the sport fishery harvest ceiling;
- (3) minimize regulatory restrictions on resident anglers; and
- (4) provide stability to the sport fishery by eliminating inseason regulatory changes, except those necessary for conservation purposes.

(c) **When the Southeast Alaska Winter Troll CPUE is equal to or greater than 20.5, which is equivalent to a king salmon abundance index greater than 2.2, the sport fishery harvest limit will be set at 69,000 treaty king salmon, the commissioner may, by emergency order, implement the following management measures:**

**(1) a resident bag limit of three king salmon, 28 inches or greater in length;**

**(2) a nonresident bag limit of two king salmon, 28 inches or greater in length, in May and one king salmon, 28 inches or greater in length, for the remainder of the year; a nonresident annual limit of five king salmon, 28 inches or greater in length.**

**(3) from October 1 through March 31, a sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon;**

[WHEN THE KING SALMON ABUNDANCE INDEX IS GREATER THAN 2.0, THE COMMISSIONER MAY, BY EMERGENCY ORDER, IMPLEMENT THE FOLLOWING MANAGEMENT MEASURES:

- (1) FROM OCTOBER 1 THROUGH MARCH 31, A SPORT FISH ANGLER MAY USE TWO RODS WHEN FISHING FOR KING SALMON; A PERSON USING TWO RODS UNDER THIS PARAGRAPH MAY ONLY RETAIN SALMON;

(2) A RESIDENT BAG LIMIT OF THREE KING SALMON, 28 INCHES OR GREATER IN LENGTH;

(3) A NONRESIDENT BAG LIMIT OF TWO KING SALMON IN MAY AND JUNE AND ONE KING SALMON FOR THE REMAINDER OF THE YEAR; A NONRESIDENT ANNUAL LIMIT OF SIX KING SALMON, 28 INCHES OR GREATER IN LENGTH.]

**(d) When the Southeast Alaska Winter Troll CPUE is less than 20.5 to 8.7, which is equivalent to a king salmon abundance index of 2.2 to greater than 1.8, the sport fishery harvest limit will be set at 61,900 treaty king salmon and the commissioner may, by emergency order, implement the following management measures:**

**(1) a resident bag limit of three king salmon, 28 inches or greater in length;**

**(2) a nonresident bag limit of one king salmon; a nonresident annual limit of four king salmon, 28 inches or greater in length;**

**(3) from October 1 through March 31, a sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon;**

[WHEN THE KING SALMON ABUNDANCE INDEX IS 1.76 TO 2.0, THE COMMISSIONER MAY, BY EMERGENCY ORDER, IMPLEMENT THE FOLLOWING MANAGEMENT MEASURES:

(1) FROM OCTOBER 1 THROUGH MARCH 31, A SPORT FISH ANGLER MAY USE TWO RODS WHEN FISHING FOR KING SALMON; A PERSON USING TWO RODS UNDER THIS PARAGRAPH MAY ONLY RETAIN SALMON;

(2) A RESIDENT BAG LIMIT OF THREE KING SALMON;

(3) A NONRESIDENT BAG LIMIT OF TWO KING SALMON IN MAY AND ONE KING SALMON FOR THE REMAINDER OF THE YEAR; A NONRESIDENT ANNUAL LIMIT OF FIVE TO SIX KING SALMON, 28 INCHES OR GREATER IN LENGTH, ESTABLISHED BY EMERGENCY ORDER. ]

**(e) When the Southeast Alaska Winter Troll CPUE is less than 8.7 to 6.0, which is equivalent to a king salmon abundance index of 1.8 to greater than 1.5, the sport fishery harvest limit will be set at 49,300 treaty king salmon and the commissioner may, by emergency order, implement the following management measures:**

**(1) a resident bag limit of two king salmon, 28 inches or greater in length;**

**(2) a nonresident bag limit of one king salmon; a nonresident annual limit of three king salmon, 28 inches or greater in length;**

**(3) from October 1 through March 31, a resident sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.**

[WHEN THE KING SALMON ABUNDANCE INDEX IS 1.51 TO 1.75, THE COMMISSIONER MAY, BY EMERGENCY ORDER, IMPLEMENT THE FOLLOWING MANAGEMENT MEASURES:

(1) FROM OCTOBER 1 THROUGH MARCH 31, A SPORT FISH ANGLER MAY USE TWO RODS WHEN FISHING FOR KING SALMON; A PERSON USING TWO RODS UNDER THIS PARAGRAPH MAY ONLY RETAIN SALMON;

(2) A RESIDENT BAG LIMIT OF THREE KING SALMON;

(3) A NONRESIDENT BAG LIMIT OF TWO KING SALMON IN MAY AND ONE KING SALMON FOR THE REMAINDER OF THE YEAR; A NONRESIDENT ANNUAL LIMIT OF FOUR TO FIVE KING SALMON, 28 INCHES OR GREATER IN LENGTH, ESTABLISHED BY EMERGENCY ORDER.]

**(f) When the Southeast Alaska Winter Troll CPUE is less than 6.0 to 3.8, which is equivalent to a king salmon abundance index of 1.5 to greater than 1.2, the sport fishery harvest limit will be set at 37,900 treaty king salmon and the commissioner may, by emergency order, implement the following management measures:**

**(1) a bag limit of one king salmon, 28 inches or greater in length;**

**(2) from January 1 through June 15, a nonresident annual harvest limit is three king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length harvested by a nonresident from January 1 through June 15 will apply towards the three fish annual limit;**

**(3) from June 16 through December 31, a nonresident annual harvest limit is one king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length harvested by a nonresident from January 1 through June 15 will apply towards the one fish annual limit;**

**(4) from October 1 through March 31, a resident sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon;**

[WHEN THE KING SALMON ABUNDANCE INDEX IS GREATER THAN 1.2 AND LESS THAN OR EQUAL TO 1.5, THE COMMISSIONER SHALL, BY EMERGENCY ORDER, IMPLEMENT THE FOLLOWING MANAGEMENT MEASURES:

(1) A RESIDENT BAG LIMIT OF TWO KING SALMON;

(2) A NONRESIDENT BAG LIMIT OF ONE KING SALMON;

(3) A NONRESIDENT ANNUAL LIMIT OF THREE KING SALMON, 28 INCHES OR GREATER IN LENGTH;

(4) FROM OCTOBER 1 THROUGH MARCH 31, A RESIDENT SPORT FISH ANGLER MAY USE TWO RODS WHEN FISHING FOR KING SALMON; A PERSON USING TWO RODS UNDER THIS PARAGRAPH MAY ONLY RETAIN SALMON.]

**(g) When the Southeast Alaska Winter Troll CPUE is less than 3.8 to 2.6, which is equivalent to a king salmon abundance index of 1.2 to greater than 1.0, the sport fishery harvest limit will be set at 25,800 treaty king salmon and the commissioner may, by emergency order, implement the following management measures:**

**(1) a resident bag limit of one king salmon except from July 1 through July 31 resident anglers may not retain king salmon.**

**(2) a nonresident bag limit of one king salmon except from July 1 through July 31 nonresident anglers may not retain king salmon.**

**(3) from January 1 through June 15, a nonresident annual harvest limit is three king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length;**

**(4) from June 16 through December 31, a nonresident annual harvest limit is one king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length harvested by a nonresident from January 1 through June 15 will apply towards the one fish annual limit;**

[WHEN THE KING SALMON ABUNDANCE INDEX IS LESS THAN OR EQUAL TO 1.2, THE COMMISSIONER SHALL, BY EMERGENCY ORDER, IMPLEMENT THE FOLLOWING MANAGEMENT MEASURES:

- (1) A BAG LIMIT OF ONE KING SALMON;
- (2) FROM JANUARY 1 THROUGH JUNE 30, A NONRESIDENT'S HARVEST LIMIT IS THREE KING SALMON, 28 INCHES OR GREATER IN LENGTH;
- (3) FROM JULY 1 THROUGH JULY 15, A NONRESIDENT'S HARVEST LIMIT IS TWO KING SALMON, 28 INCHES OR GREATER IN LENGTH, AND ANY KING SALMON 28 INCHES OR GREATER IN LENGTH HARVESTED BY THE NONRESIDENT FROM JANUARY 1 THROUGH JUNE 30 WILL APPLY TOWARD THE TWO FISH HARVEST LIMIT;
- (4) FROM JULY 16 THROUGH DECEMBER 31, A NONRESIDENT'S HARVEST LIMIT IS ONE KING SALMON, 28 INCHES OR GREATER IN LENGTH, AND ANY KING SALMON 28 INCHES OR GREATER IN LENGTH HARVESTED BY THE NONRESIDENT FROM JANUARY 1 THROUGH JULY 15 WILL APPLY TOWARD THE ONE FISH HARVEST LIMIT;
- (5) FROM OCTOBER 1 THROUGH MARCH 31, A RESIDENT SPORT FISH ANGLER MAY USE TWO RODS WHEN FISHING FOR KING SALMON; A PERSON USING TWO RODS UNDER THIS PARAGRAPH MAY ONLY RETAIN SALMON;]

**(h) When the Southeast Alaska Winter Troll CPUE is less than 2.6 to 2.0, which is equivalent to a king salmon abundance index of 1.0 to 0.875, the sport fishery harvest limit will be set at 20,600 treaty king salmon and the commissioner may, by emergency order, implement the following management measures:**

- (1) a resident bag limit of one king salmon except from July 1 through August 15 resident anglers may not retain king salmon.**
- (2) a nonresident bag limit of one king salmon except from July 1 through August 15 nonresident anglers may not retain king salmon.**
- (3) from January 1 through June 15, a nonresident annual harvest limit is two king salmon, 28 inches or greater in length;**
- (4) from June 16 through December 31, a nonresident annual harvest limit is one king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length harvested by a nonresident from January 1 through June 15 will apply towards the one fish annual limit;**

[IN ADDITION TO THE PROVISIONS OF (G) OF THIS SECTION, WHEN THE KING SALMON ABUNDANCE INDEX IS LESS THAN OR EQUAL TO 1.1, THE COMMISSIONER SHALL, BY EMERGENCY ORDER, IMPLEMENT THE FOLLOWING MANAGEMENT MEASURES:

- (1) A RESIDENT BAG AND POSSESSION LIMIT OF ONE KING SALMON, 28 INCHES OR GREATER IN LENGTH;
- (2) FROM MAY 1 THROUGH JUNE 30, A NONRESIDENT ANNUAL HARVEST LIMIT IS THREE KING SALMON, 28 INCHES OR GREATER IN LENGTH, AND ANY KING SALMON 28 INCHES OR GREATER IN LENGTH HARVESTED BY A NONRESIDENT FROM JANUARY 1 THROUGH JUNE 30 WILL APPLY TOWARDS THE THREE FISH ANNUAL LIMIT;

(3) FROM JULY 1 THROUGH DECEMBER 31, A NONRESIDENT ANNUAL HARVEST LIMIT IS ONE KING SALMON, 28 INCHES OR GREATER IN LENGTH, AND ANY KING SALMON 28 INCHES OR GREATER IN LENGTH HARVESTED BY A NONRESIDENT FROM JANUARY 1 THROUGH JUNE 30 WILL APPLY TOWARDS THE ONE FISH ANNUAL LIMIT;

(4) FROM OCTOBER 1 THROUGH MARCH 31, A RESIDENT SPORT FISH ANGLER MAY USE TWO RODS WHEN FISHING FOR KING SALMON; A PERSON USING TWO RODS UNDER THIS PARAGRAPH MAY ONLY RETAIN SALMON;]

(i) In addition the provisions specified in (g) and (h) of this section, when **the Southeast Alaska Winter Troll CPUE is less than 2.0, which is equivalent to a king salmon abundance index of less than 0.875, the all gear catch limit will be set at the commissions determination,** [KING SALMON ABUNDANCE INDEX IS LESS THAN 1.0,] the commissioner may, by emergency order, [SPECIFY FISHING TIMES DURING WHICH THE RETENTION OF KING SALMON LESS THAN 48 INCHES IN LENGTH IS PROHIBITED BY NONRESIDENT ANGLERS. THE COMMISSIONER MAY ALSO INDEPENDENTLY, BY EMERGENCY ORDER,] implement nonretention periods or other restrictions for resident anglers to obtain 20 percent of the harvest reduction from resident anglers and 80 percent from nonresident anglers. [FISHING TIMES OF NONRETENTION WILL BE ESTABLISHED ON A REGULAR BASIS BETWEEN JULY 16 AND JULY 31, AS NEEDED, AND WILL BE ESTABLISHED ON NONCONSECUTIVE DAYS WHEN POSSIBLE. IF THE ENTIRE PERIOD OF JULY 16 THROUGH JULY 31 IS ESTABLISHED AS A FISHING TIME OF NONRETENTION AND ADDITIONAL CLOSURES ARE NECESSARY, ADDITIONAL FISHING TIMES OF NONRETENTION WILL BE SIMILARLY ESTABLISHED BETWEEN JULY 1 AND JULY 15.]

(j) The commissioner may adopt regulations that establish reporting requirements necessary to obtain the information required to implement the management plan under this section.

(k) The commissioner may, by emergency order, establish that the nonresident harvest and annual limits for king salmon under this section do not apply in a hatchery terminal harvest area.

**What is the issue you would like the board to address and why?** The *Southeast Alaska King Salmon Management Plan* (SEAKKSMP; 5 AAC 47.055) triggers sport fishery management actions to maintain harvest within the sport fishery harvest limit allocation. In August 2018, the Pacific Salmon Commission reached agreement to renew various fishery arrangements under the Pacific Salmon Treaty (PST) for the next ten years (2019-2028). One significant change is the creation of seven harvest limit tiers that replace the existing harvest limit ranges and result in a one to seven percent reduction in the existing harvest limit of king salmon in the Southeast Alaska fisheries. Since the renewed 2019-2028 PST agreement reduces the harvest limit at specified abundance indices, managing the sport fishery under the current plan would likely cause the sport fishery to exceed its allocation more often and by a greater amount.

**PROPOSED BY:** Alaska Department of Fish and Game (Formerly ACR #9)

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