

03.01.24

To: ABOF/ UCI Regulatory Meeting

Chairman Wood,

SOKI would like to comment and suggest changes to this RC 170.

We offer suggestions, changes and comments for this RC 170. We will review by page;

Page One;

We do not support the supposition that the KRLRK salmon is in need of a "RECOVERY" status. The stock has NOT been classified as a "conservation concern". The stock, by definition of "sustained yield" is attaining an escapement and "yield" by other users who are accounted for. If there is a need to determine a potential "conservation" need, it is the department's responsibility to make this determination, the board does not have this authority.

Any statement that negates the managing of "all salmon stocks" in a mixed stock fishery violates the concepts of "sustained yield". The State of Alaska Constitution, Article VIII, Section IV, Sustained Yield- The term "sustained yield principle" does not segregate one natural resource from another. The discussion of yield means that there is some benefit to the common property of the State and a benefit to all in some manner as a "common property" state. No resource should be managed to a lesser degree of sustained yield. Nothing in the Constitution allows managers to sacrifice one stock for another although in its entirety. Allowing one stock of salmon to exceed its carrying capacity or escapement goal, by population models will result in diminished yields. Returning stocks above the goal has the same effect as returning under the goal range.

If there is determined to be a "conservation concern" then the department is required to determine the Sustainable Escapement Threshold (SET) in order to determine the bounds of escapement necessary to adjust for a BEG, SEG or OEG. There is no conservation necessity declared so this stock is not required to make management decisions.

RC 149 are emails from 2016, acquired through a FOIA request and documented, received from at that time, sports division director, Tom Vania, on KRLRK escapements, Mr. Vania recommended an 80% confidence range of large escapement from 12,500 – 23,500. It would support that the current returns and yields are in fact sustainable and in range' There is no scientifically defensible need to implement "conservation" measures on this stock.

There is no mechanism in place to classify an OEG as a Stock of Concern (SOC) when used in the manner under 5 AAC 21.359. Optimal Escapement Goal (OEG) in the Federal fisheries definition are used to rebuild stock under the de-minimus principle. Instead of applying the MSY methods for immediate achievement, a longer building time is prescribed to achieve that goal.

§ 600.310 National Standard 1—Optimum Yield.

(a) **Standard 1.** Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield (OY) from each fishery for the U.S. fishing industry.

(b) **General.**

(1) The guidelines set forth in this section describe fishery management approaches to meet the objectives of National Standard 1 (NS1), and include guidance on:

(i) Specifying maximum sustainable yield (MSY) and OY;

(ii) Specifying status determination criteria (SDC) so that overfishing and overfished determinations can be made for stocks and stock complexes in an FMP;

(iii) Preventing overfishing and achieving OY, incorporation of scientific and management uncertainty in control rules, and adaptive management using annual catch limits (ACL) and measures to ensure accountability (*i.e.*, accountability measures (AMs)); and

(iv) Rebuilding stocks and stock complexes.

The SOA through the BOF and the ADF&G have changed the design of this principle to achieve an arbitrary allocation goal while sacrificing the harvest of surplus sockeye above the escapement goal that has resulted in the loss of the ESSN economic viability as a defined, predominately resident, user group.

To further this goal, an artificial point goal of 18,000 is not supported by the EGPIT review by the ADF&G. Therefore, by default, this becomes an allocative goal and should be specified as such and should therefore go through the allocation criteria as specified in 16.05.251. Regulations of the Board of Fisheries. (e).

Page Two;

We do not agree or support the reduction of gear from current regulations.

We do not agree with a restriction of hours or designated tides as it unduly restricts setnet fishermen within the setnet 70-mile range. The fishery has operated with standard, and within historical practices for decades. It is currently an orderly process.

The 14,250 is a non-scientifically supported goal. In 5 AAC39.223. Policy for statewide salmon escapement goals. (c) (2) ...the board will provide an explanation of the reasons for establishing an OEG and provide, to the extent practicable, and with the assistance of the department, an estimate of expected differences in yield of any salmon stock, relative to maximum sustained yield, resulting from implementation of an OEG.

If the question is asked from the department if there is a projected yield from changes to this escapement goal as expressed in this regulation it would probably be negative as the OEG is above the SEG or the sustained yields definition. Escapement goals are fluid and the Board should be adjusting the OEG to reflect the needs of the community to render a yield with appropriate protections in place to achieve an escapement that replaces itself with yield in the future.

We incorporate our previous comments in the redundant language throughout this RC 170.

Page Three;

We also refer to our previous comments for redundant regulatory proposed changes.

We do not support closing the Kasilof River Terminal harvest area or the Kasilof River Special Harvest Area (KRSHA). This is the last opportunity to harvest surplus Tustumena sockeye, which exceeds the top end of the escapement goal on a regular basis. There is no justification to close this harvest area and all documentation or harvest DNA data that would determine more than an insignificant rate of catch of a KRLRK.

Page Four;

We would refer to our previous comments for proposed regulatory changes within this page.

Thank You,

Paul A. Shadura II

Spokesperson for; SOKI