PROPOSAL 231

5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan.

Establish a 10 consecutive day closure between June 10 and June 23 for seine and drift gillnet gear in the South Unimak and Shumagin Islands June Salmon Management Plan, as follows:

Reinstatement of Proposal #127 (as RC245) that was approved by the Alaska Board of Fisheries on a 4-3 vote February 2026 to **"Establish a 10 consecutive day closure between June 10 and June 23 for seine and drift gillnet gear.** ***Amended with substitute language found in RC245. Further amended (A) on the top of page 2 of RC245, changing 16 hours per day to 24 hours per day.***

What is the issue you would like the board to address and why? The Alaska Peninsula / Shumigan Islands (Area M) is managed by a 3-year Alaska Board of Fisheries (BOF) cycle instead of an in-season escapement management as almost all other Alaska salmon fisheries are regulated.

In February of 2023, the Alaska Board of Fisheries adopted a South Unimak and Shumigan Islands Management Plan that may have encouraged under-reporting of harvest of Coastal Western Alaska (CWAK) chum, while the chum stocks that the Plan intended to protect clearly remain in increasingly critical condition across Western.

Coastal Western Alaska (CWAK) chum and king salmon have been in severe decline to the point of extirpation in some discrete stocks. That situation only worsened in the 2023 and 2024 AYK salmon seasons. This includes the Yukon River, Kuskokwim River, Unalakleet River and the Nushagak River. The predominant AYK chum producing rivers are the Yukon and the Kuskokwim. The relationships between the intercept of chum in Area M and the declines of CWAK chum has never been adequately established to understand the social and ecological impacts of Area M fisheries on AYK salmon and subsistence communities. But in times of severe concern over the sustainability of AYK stocks, it is not a matter of every fish counting but every egg counting for fecundity on the spawning grounds.
The Alaska Sustainable Salmon Policy (SSP/ 5AAC 39.222) requires that "the burden of conservation" of a depleted species be shared. In 2022, Bering Sea Fishermen's Association, along with several tribal consortiums, wrote a letter to the Alaska Department of Fish and Game noting "If ADF&G does not limit June commercial harvest opportunities within Area M, the ensuing unmitigated interception of AYK-bound chum all but assures the destruction of AYK Region economies and traditional subsistence lifestyles, and places the entire burden of conservation on the shoulders of AYK Region subsistence users. The survival of our communities depends upon ADF&G's intervention." Even more significant, it could mean the extirpation of some chum stocks entirely.

Any closure intended to protect migrating non-target species must be long enough for a significant number of fish to completely transit the South Peninsula fishing districts. Further, for a closure to permit a substantial number of fish to transit the entire fishing area, it should be at least 10 days long and focused on the peak of the chum migration.

Actions since the February 2026 Alaska Peninsula/Aleutian Island/Chignik Finfish Meeting:
This is one of five Board of Fisheries actions that were vacated by the Department of Law following the February 2026 meeting. Other regulations adopted by the Board were delayed in their implementation. To date, no public explanation or justification for these actions has been provided. In the absence of a clear rationale or transparent review process, the vacating of these regulations should

be considered arbitrary and capricious. There is a distinct lack of consistency and fairness in the decision-making process by the Department of Law.

On April 3, 2026, the Aleutians East Borough, Area M Seiners Association, Concerned Area M Fishermen and the Native Village of Unga, filed a Complaint For Preliminary Injunction, Declaratory Judgment and Permanent Injunction (Administrative Procedure Act, As 44.62) in the Superior Court of the State of Alaska based, on alleged ethics violations of 3 Board of Fisheries members.

On May 13, 2026, Bering Sea Fishermen's Association (BSFA) filed an Order Regarding Joint Notice and Stipulation of Dismissal (Case Motion #10) and an Order On Motion To Intervene

(Case Motion #7) claiming their interests would not be adequately represented by the Attorney General's office.

On May 20, 2026, Acting Attorney General Cori Mills of the State of Alaska vacated 5 proposals, including #127, named in contention in the lawsuit. On May 22, 2026, the State of Alaska dismissed the lawsuit. These two actions reversed the action of Proposal #127 which was intended to reduce the amount of chum salmon "bycatch" in the June sockeye fishery in order to increase depleted chum stocks in Western Alaska tributaries. Therefore, Area M management of the June fishery reverted back to a voluntary fleet Adaptive Management Plan which raised many concerns over excessive chum bycatch, with essentially no enforcement and a confusing non-application of "triggers" designed to limit bycatch.

Subsequent court filings by BSFA on May 26, 2026 did not result in a positive response.

Because of the unique and unprecedented circumstances resulting from the February 2026 Board of Fisheries meeting, there has been no venue for publicly adjudicating the merits of the complaint. This raises many questions on the validity of the State's intervention in a Board of Fisheries decision and has created a serious breach of trust in the public process.

In addition, this heightens the concern of Western Alaska over the State's intent to protect a vital subsistence species.

This has always been an issue of conservation. (See Section #4) Both in February 2023 and in February 2026, Western Alaskan residents, reeling from escalating decreases in Chinook and chum salmon, unable to meet ANS (Amounts Necessary for Subsistence) or even to harvest at all, have petitioned the Alaska Board of Fisheries to restrict the Area M June fishery on the basis of the high historical bycatch of chum salmon. Both meetings were highly contentious, but at the 2026 meeting, a reasonable compromise was reached with RC245. Now that compromise has been arbitrarily vacated and the result is a much higher bycatch in 2026 of depleted chum stocks in the Area M June fishery.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee?

PROPOSED BY: Orutsararmiut Native Council (Formerly ACR6)

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PROPOSAL 232

5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan.
Establish a 10 consecutive day closure between June 10 and June 23 for seine and drift gillnet gear in the *South Unimak and Shumagin Islands June Salmon Management Plan,* as follows:

Re-instate Proposal #127 (as RC245) that was approved by the Alaska Board of Fisheries on a 4-3 vote February 2026 to **"Establish a 10 consecutive day closure between June 10 and June 23 for seine and drift gillnet gear.** ***Amended with substitute language found in RC245. Further amended (A) on the top of page 2 of RC245, changing 16 hours per day to 24 hours per day.***

What is the issue you would like the board to address and why?
The Alaska Peninsula /Shumigan Islands (Area M) is managed by a 3-year Alaska Board of Fisheries (BOF) cycle instead of an in-season escapement management as almost all other Alaska salmon fisheries are regulated. In February of 2023, the Alaska Board of Fisheries adopted a South Unimak and Shumigan Islands Management Plan that may have encouraged under-reporting of harvest of Coastal Western Alaska (CWAK) chum, while the chum stocks that the Plan intended to protect clearly remain in increasingly critical condition across Western. Coastal Western Alaska (CWAK) chum and king salmon have been in severe decline to the point of extirpation in some discrete stocks. That situation only worsened in the 2023 and 2024 AYK salmon seasons. This includes the Yukon River, Kuskokwim River, Unalakleet River and the Nushagak River. The predominant AYK chum producing rivers are the Yukon and the Kuskokwim. The relationships between the intercept of chum in Area M and the declines of CWAK chum has never been adequately established to understand the social and ecological impacts of Area M fisheries on AYK salmon and subsistence communities. But in times of severe concern over the sustainability of AYK stocks, it is not a matter of every fish counting but every egg counting for fecundity on the spawning grounds.

The Alaska Sustainable Salmon Policy (SSP/ 5AAC 39.222) requires that "the burden of conservation" of a depleted species be shared. In 2022, Bering Sea Fishermen's Association, along with several tribal consortiums, wrote a letter to the Alaska Department of Fish and Game noting "If ADF&G does not limit June commercial harvest opportunities within Area M, the ensuing unmitigated interception of AYK-bound chum all but assures the destruction of AYK Region economies and traditional subsistence lifestyles, and places the entire burden of conservation on the shoulders of AYK Region subsistence users. The survival of our communities depends upon ADF&G's intervention." Even more significant, it could mean the extirpation of some chum stocks entirely.

Any closure intended to protect migrating non-target species must be long enough for a significant number of fish to completely transit the South Peninsula fishing districts. Further, for a closure to permit a substantial number of fish to transit the entire fishing area, it should be at least 10 days long and focused on the peak of the chum migration.

BACKGROUND: (as of August 18, 2026)
This regulation is one of five Board of Fisheries actions that were vacated by the Department of Law following the February 2026 Board meeting. Other regulations adopted by the Board were delayed in their implementation. To date, no public explanation or justification for these actions has been provided. In the absence of a clear rationale or transparent review process, the vacating of these regulations should be considered arbitrary and capricious. There is a distinct lack of consistency and fairness in the decision-making process by the Department of Law.

Subsequent to the Alaska Peninsula February 2026 Board of Fisheries (BOF) meeting, the Aleutians East Borough, Area M Seiners Association, Concerned Area M Fishermen and the Native Village of Unga, Filed A Complaint For Preliminary Injunction, Declaratory Judgment and Permanent Injunction (Administrative Procedure Act, As 44.62) on April 3, 2026, in the Superior Court of the State of Alaska based, on presumed ethics violations of 3 Board of Fish members.

On May 13th, the Bering Sea Fishermen's Association (BSFA), on behalf of Western Alaska constituents, filed an Order Regarding Joint Notice And Stipulation Of Dismissal (Case Motion #10) And Order On Motion To Intervene (Case Motion #7) claiming that their interests are not adequately represented by the Attorney General's office.

On May 20, 2026, the Acting Attorney General Cori Mills of the State of Alaska vacated 5 proposals, including #127, that were named in contention in the lawsuit. On May 22, 2026, the State of Alaska dismissed the lawsuit. These two actions reversed the action of Proposal #127 which was intended to reduce the amount of chum salmon "bycatch" in the June sockeye fishery in order to increase depleted chum stocks in Western Alaska tributaries. Therefore, Area M management of the June fishery reverted back to a voluntary fleet Adaptive Management Plan that had raised many concerns over excessive chum bycatch, with essentially no enforcement and a confusing non-application of "triggers" designed to limit bycatch.

Subsequent court filings by the BSFA on May 26th have not resulted in any positive response from the State.

Because of the unique and unprecedented circumstances resulting from the February 2026 Aleutian Islands/Area M Board of Fisheries meeting, there has been no venue for publicly adjudicating the merits of the complaint. This has raised many questions on the validity of the State's intervention in a Board of Fisheries decision and has created a serious breach of trust in the public process.

In addition, this heightens the concern of Western Alaska over the State's intent to protect a vital subsistence species.

This has always been an issue of conservation. (See Section #4) Both in February 2023 and in February 2026, Western Alaskan residents, reeling from escalating decreases in Chinook and chum salmon, unable to meet ANS (Amounts Necessary for Subsistence) or even to harvest at all, have petitioned the Alaska Board of Fisheries to restrict the Area M June fishery on the basis of the high historical bycatch of chum salmon. Both meetings were highly contentious, but at the 2026 meeting, a reasonable compromised was reached with RC245. Now that compromised is arbitrarily vacated and the result is a much higher bycatch in 2026 of depleted chum stocks in the Area M June fishery.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee?

PROPOSED BY: Fairbanks Fish and Game Advisory Committee (FAC) (Formerly ACR7)
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PROPOSAL 233

5 AAC 09.366. Post-June Salmon Management Plan for the South Alaska Peninsula.

Amend the *Post-June Salmon Management Plan for the South Alaska Peninsula* to enforce king salmon caps with reductions in commercial salmon fishing time in the South Alaska Peninsula, as follows:

Re-instate Proposal #141 that was approved by the Alaska Board of Fisheries on a 5-2 vote at the Alaska Peninsula / Area M meeting, February 2026.

What is the issue you would like the board to address and why?

The depletion of king salmon across the Gulf of Alaska is quickly becoming a crisis that threatens the very livelihood of Alaska's commercial salmon fleet. The South Alaska Peninsula commercial salmon fishery needs restrictions in place to deter the harvest of king salmon similar to the restrictions that exist in the Chignik Area.

This ACR is a request for re-instatement of Proposal #141 that was approved by the Alaska Board of Fisheries on a 5-2 vote February 2026 to **"Amend the Post-June Salmon Management Plan for the South Alaska Peninsula to enforce king salmon caps with reductions in commercial salmon fishing time in the South Alaska Peninsula.**

The positive action of the BOF was subsequently vacated by the Attorney General of Alaska in an action that may have violated the Administrative Procedures Act. (Case No. 3AN-26-05959 CI MOTION TO RECONSIDER filed by BSFA May 26, 2026 Superior Court for the State of Alaska.)

BACKGROUND: (as of August 18, 2026)

1) This regulation is one of five Board of Fisheries actions that were vacated by the Department of Law following the February 2026 Board meeting. Other regulations adopted by the Board were delayed in their implementation. To date, no public explanation or justification for these actions has been provided. In the absence of a clear rationale or transparent review process, the vacating of these regulations should be considered arbitrary and capricious. There is a distinct lack of consistency and fairness in the decision-making process by the Department of Law.

The Board of Fisheries considered, deliberated upon, and formally approved this regulation through its established public process. The Department of Law, the Department of Fish and Game, and the Department of Public Safety each indicated that there were no errors or omissions in the Board's consideration of the regulation. The regulation was properly proposed, reviewed, adopted, and approved for implementation through the required process and should therefore be reinstated and allowed to take effect as originally intended.

2)The Area M June salmon fisheries harvest depleted western Alaska Chinook and chum salmon stocks. While sockeye salmon stocks are the primary target of the Area M fisheries and provide significant economic value, the conservation of depleted wild Chinook and chum salmon stocks remains a critical management priority. Sockeye salmon are generally known to occupy surface waters, whereas Chinook and chum salmon tend to migrate at deeper depths, creating opportunities for more selective harvest strategies. Significant conservation measures have been implemented throughout Alaska to protect and rebuild vulnerable wild salmon stocks, particularly in western Alaska. Maintaining a focus on sockeye salmon harvest while reducing impacts on depleted Chinook

and chum salmon stocks supports the long-term sustainability of wild salmon populations and aligns with the State's legal, conservation, and stewardship obligations.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee?

PROPOSED BY: Fairbanks Fish and Game Advisory Committee (FAC) (Formerly ACR8)
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PROPOSAL 234

5 AAC 09.331. Gillnet specifications and operations.

Reduce maximum gillnet depth in the Alaska Peninsula Area to 70 meshes as follows:

Reapprove the regulations that have passed the Board process during the February 2026 meeting. 5AAC 09.331 Gillnet specifications and operations. (a) the size and operation for drift gillnets is as follows:
(3) In the Northwestern, Unimak, and Southwestern Districts, no drift gillnet may exceed 70 meshes in depth.
(4) beginning in 2027, in the Northwestern, Uniimak, and Southwestern Districts, no drift gillnet may exceed 70 meshes in depth;

What is the issue you would like the board to address and why? Text
This ACR is a request for re-instatement of Proposal #147 that was approved by the Alaska Board of Fisheries on a 4-3 vote February 2026 to **Reduce maximum gillnet depth to 70 meshes.** ***Amended with substitute language found in RC161.***

The positive action of the BOF was subsequently vacated by the Attorney General of Alaska in an action that may have violated the Administrative Procedures Act. (Case No. 3AN-26-05959 CI MOTION TO RECONSIDER filed by BSFA May 26, 2026 Superior Court for the State of Alaska.)

BACKGROUND: (as of August 18, 2026)
1) This regulation is one of five Board of Fisheries actions that were vacated by the Department of Law following the February 2026 Board meeting. Other regulations adopted by the Board were delayed in their implementation. To date, no public explanation or justification for these actions has been provided. In the absence of a clear rationale or transparent review process, the vacating of these regulations should be considered arbitrary and capricious. There is a distinct lack of consistency and fairness in the decision-making process by the Department of Law.

The Board of Fisheries considered, deliberated upon, and formally approved this regulation through its established public process. The Department of Law, the Department of Fish and Game, and the Department of Public Safety each indicated that there were no errors or omissions in the Board's consideration of the regulation. The regulation was properly proposed, reviewed, adopted, and approved for implementation through the required process and should therefore be reinstated and allowed to take effect as originally intended.

2)The Area M June salmon fisheries harvest depleted western Alaska Chinook and chum salmon stocks. While sockeye salmon stocks are the primary target of the Area M fisheries and provide significant economic value, the conservation of depleted wild Chinook and chum salmon stocks remains a critical management priority. Sockeye salmon are generally known to occupy surface waters, whereas Chinook and chum salmon tend to migrate at deeper depths, creating opportunities for more selective harvest strategies. Significant conservation measures have been implemented throughout Alaska to protect and rebuild vulnerable wild salmon stocks, particularly in western Alaska. Maintaining a focus on sockeye salmon harvest while reducing impacts on depleted Chinook and chum salmon stocks supports the long-term sustainability of wild salmon populations and aligns with the State’s legal, conservation, and stewardship obligations.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee?

PROPOSED BY: Fairbanks Fish and Game Advisory Committee (FAC) (Formerly ACR9)
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PROPOSAL 235

5 AAC 09.332. Seine specifications and operations.

Amend Alaska Peninsula Area seine specifications to reduce net size, as follows:

Reapprove the regulations that have passed the Board process during the February 2026 meeting. Submitted by Board Member Wood, prepared by the Alaska Department of Fish and Game February 23, 2026. Substitute language for proposal #:148

5 AAC 09.332 is amended to read:

5 AAC 09.332. Seine specifications and operations. (a) Purse seines or hand purse seines may not be less than 100 fathoms nor more than 250 fathoms in length. A purse seine or hand purse seine may not exceed 375 meshes in depth. Seine mesh may not be more than three and one-half inches, except that the first 25 meshes above the leadline may not be more than seven inches.

(b) **Beginning in 2027, a purse seine or hand purse seine may not exceed 335 meshes in depth. Seine mesh may not be more than three and one-half inches; in addition, a maximum of 25 meshes of chafing gear with a maximum mesh size of seven inches may be used.** [LEADS MAY NOT BE LESS THAN 50 FATHOMS NOR MORE THAN 150 FATHOMS IN LENGTH. ONLY ONE LEAD MAY BE USED WITH A SEINE. A LEAD MAY BE ATTACHED TO ONLY ONE END OF A SEINE, AND THE LEAD MAY NOT BE ATTACHED TO THE BOAT END OF THE SEINE.]

What is the issue you would like the board to address and why?

This ACR is a request for re-instatement of Proposal #148 that was approved by the Alaska Board of Fisheries in a 6-1 vote at the February 2026 Alaska Peninsula/Area M meeting to Amend the seine specification to reduce the allowable size gear **Amended with substitute language found in RC208. (attached)**

The rapid increase of chum salmon caught in the June fishery in the South Unimak and Shumagin Island purse seine fishery. The South Unimak and Shumagin Islands June fishery has averaged approximately 572,000 chums per season over the past five years (2020–2024), which is among the highest five-year average in decades. In 2026, despite assurances of closures based on triggers, the incidental catch of chum in the June fishery was almost 490,000 chum harvest recorded. In comparison, in February 2026, the North Pacific Fishery Management Council (NPFMC) approved a bycatch cap of 45,000 Western Alaska chum for pollock trawlers in federal waters of the Bering Sea / Aleutian Islands (BSAI).

This makes the Area M intercept fishery actual harvest in 2026 over 10 times the allowable chum bycatch of the BSAI. Even if we assume that only 25% of the Area M June chum salmon harvest were of Western Alaska origin, that still amounts to over 121,000 Western Alaska chum salmon harvested in 2026 – nearly triple the BSAI limit.

Chum stocks in the Arctic-Yukon-Kuskokwim region are struggling to even meet escapement goals. The huge changes made in the South Unimak and Shumagin Islands June fishery in 2004, coupled with the rapid growth of the purse seine fleet in recent years has resulted in this recent huge increase in chum interception in the June fishery. Purse seiners harvest over 90% of the chums caught in the South Unimak and Shumagin Islands June fishery.

Current regulations allow the aggregate length of purse seines and leads in this area to be up to 400 fathoms in length. That is 60% longer that what is allowed in Kodiak and Lower Cook Inlet (up to 250 fathoms), and 78% longer than what is allowed in Chignik and Prince William Sound (up to 225 fathoms). Longer seines = more fish per set.

Current regulations also allow purse seine depth in this area to be a maximum of 375 meshes. The deeper a purse seine, the more chums and chinook salmon it will catch as they travel at greater depths then sockeye, pinks, and coho. This fishery is supposed to be targeting traveling sockeye salmon, and not chums and chinook.

Bring the purse seine regulations in this area into line with the purse seine regulation in Chignik, Kodiak, Cook Inlet, and Prince William Sound. Shorten the seines and reduce the allowable depth in order to reduce the interception of migrating chums and chinook. 250 fathoms in length and 325 meshes deep is more the adequate to harvest targeted salmon species, as is evidenced by the purse seine fisheries in Chignik, Kodiak, Cook Inlet, and Prince William Sound.

The positive action of the BOF was subsequently vacated by the Attorney General of Alaska in an action that may have violated the Administrative Procedures Act. (Case No. 3AN-26-05959 CI MOTION TO RECONSIDER filed by BSFA May 26, 2026 Superior Court for the State of Alaska.)

BACKGROUND: (as of August 18, 2026)
1) This regulation is one of five Board of Fisheries actions that were vacated by the Department of Law following the February 2026 Board meeting. Other regulations adopted by the Board were delayed in their implementation. To date, no public explanation or justification for these actions has been provided. In the absence of a clear rationale or transparent review process, the vacating of these regulations should be considered arbitrary and capricious. There is a distinct lack of consistency and fairness in the decision-making process by the Department of Law.

The Board of Fisheries considered, deliberated upon, and formally approved this regulation through its established public process. The Department of Law, the Department of Fish and Game, and the Department of Public Safety each indicated that there were no errors or omissions in the Board's consideration of the regulation. The regulation was properly proposed, reviewed, adopted, and approved for implementation through the required process and should therefore be reinstated and allowed to take effect as originally intended.

2)The Area M June salmon fisheries harvest depleted western Alaska Chinook and chum salmon stocks. While sockeye salmon stocks are the primary target of the Area M fisheries and provide significant economic value, the conservation of depleted wild Chinook and chum salmon stocks remains a critical management priority. Sockeye salmon are generally known to occupy surface waters, whereas Chinook and chum salmon tend to migrate at deeper depths, creating opportunities for more selective harvest strategies. Significant conservation measures have been implemented throughout Alaska to protect and rebuild vulnerable wild salmon stocks, particularly in western Alaska. Maintaining a focus on sockeye salmon harvest while reducing impacts on depleted Chinook and chum salmon stocks supports the long-term sustainability of wild salmon populations and aligns with the State's legal, conservation, and stewardship obligations.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee?

PROPOSED BY: Fairbanks Fish and Game Advisory Committee (FAC) (Formerly ACR10)
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