

**PROPOSAL 123**

**5 AAC 01.182. Tier II subsistence chum salmon fishery.**

Repeal the Tier II subsistence chum salmon fishery, as follows:

**5 AAC 01.182**

...

Repealed.

**What is the issue you would like the board to address and why?** We propose eliminating 5 AAC 01.182 altogether. The department has not implemented Tier II regulations since 2004. In 2005, the department waived Tier II restrictions early in the season, gave all applicants a Tier I harvest permit, and eventually waived subsistence harvest limits on chum salmon. Since 2005, harvestable surpluses above chum salmon escapement needs have occurred in all years except 2009 rendering Tier II regulations moot.

There is widespread consensus amongst stakeholders area managers that the implementation of Tier II restrictions was onerous, divisive, and ultimately unnecessary. It is more effective to implement restrictions in fishing time, area, and gear in season, including the use of closures to conserve chum salmon for escapement needs, such as in 2009. Additionally, subsistence harvest pressure by Nome residents has shifted predominantly toward sockeye salmon on the Pilgrim River, and coho and pink salmon in Nome Subdistrict subsistence fisheries. The likelihood that Tier II restrictions will ever be implemented again is remote.

**PROPOSED BY:** Northern Norton Sound Fish and Game Advisory Committee (HQ-F18-014)

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## **PROPOSAL 124**

### **5 AAC 01.190. Subdistrict 1 of the Norton Sound District Chum Salmon Management Plan.**

Repeal the *Subdistrict 1 of the Norton Sound District Chum Salmon Management Plan* from Title 5, Chapter 1 of the Alaska Administrative Code and readopt in Title 5, Chapter 4, as follows:

### **5 AAC 04.XXX. Subdistrict 1 of the Norton Sound District Salmon Management Plan.**

(a) The purpose of this management plan is to provide the department with management guidelines for the sustained yield of salmon stocks in Subdistrict 1 of the Norton Sound District. The department shall manage, to the extent practicable, the subsistence, sport, and commercial fisheries in Subdistrict 1 to achieve escapement goals.

(1) in the subsistence fishery,

(A) subsistence salmon fishing will be opened and closed by emergency order on a stream-by-stream basis, to be determined by the department, when salmon stocks are abundant enough to achieve escapement goals and provide a harvestable surplus;

(b) Commercial chum, coho, pink salmon fisheries may be opened in the waters east or west of Cape Nome, or both, by emergency order, only after the department projects escapement goals or needs will be achieved and harvestable surpluses of Nome Subdistrict salmon stocks will adequately provide for subsistence uses.

(1) In the commercial fishery from June 20–July 31,

(A) If chum salmon escapement is projected to be exceed the lower bound of the escapement goal range, the department may allow up to 48 hours of commercial fishing per week;

(B) If chum salmon escapement is projected to exceed the midpoint of the escapement goal range, the department may allow up to 96 hours of commercial fishing per week;

(C) If chum salmon escapement is projected to exceed the upper bound of the escapement goal range, the department may allow up to 144 hours of commercial fishing per week;

(D) If chum salmon subsistence fishing is restricted, the commissioner may, by emergency order, close a commercial fishery and immediately reopen a commercial pink salmon fishery during which chum salmon may be retained, but not sold;

(2) In the commercial fishery from August 1-September 7,

(A) If coho salmon escapement is projected to fall below the long-term average escapement and/or subsistence fishing time is reduced in season, commercial fishing will be closed.

(B) If coho salmon escapement is projected to approximate the long-term average escapement, the department may allow up to 96 hours of commercial fishing per week.

(C) If coho salmon escapement is projected to be above the average escapement, the department may allow up to 120 hours of commercial fishing per week.

**What is the issue you would like the board to address and why?** It is recommended that the Nome Subdistrict chum salmon management plan be amended to provide guidance for management of commercial and subsistence fisheries and placed under commercial sections of regulation like all other Norton Sound Subdistrict management plans. Re-draft the Nome Subdistrict salmon management plan as follows:

If adopted, this proposal would provide the department with guidance and flexibility to adjust commercial fishing time based on observed escapements and projected run abundance from June 20 to September 7. The existing regulations were developed during a time when chum salmon were declared stocks of concern and the local subsistence fishery was closed or managed under Tier II regulation. Stocks have recovered, monitoring of salmon escapements is much improved, and escapement goals have been refined. In other words, regulatory management needs to catch-up with management in practice.

Currently regulations do not allow for commercial salmon fishing in the Nome Subdistrict prior to July 2 irrespective of chum salmon abundance and limited fishing effort in the Nome Subdistrict. Under the current management plan, fishing periods are restricted to no more than two 24-hour periods per week.

Estimates of chum salmon run abundance to the Nome Subdistrict since 2010 have ranged from well above average to record setting. Escapements of chum salmon at most Nome Subdistrict streams have exceeded the upper bound of escapement goal ranges leading to underutilized harvest surpluses. The proposed changes would allow the department to continue managing for a subsistence priority while providing more flexibility to commercially harvest surpluses in times of abundance.

**PROPOSED BY:** Northern Norton Sound Fish and Game Advisory Committee (HQ-F18-010)  
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**PROPOSAL 125**

**5 AAC 04.310. Fishing Seasons.**

Lengthen the commercial salmon fishing season in the Norton Sound-Port Clarence Area, as follows:

5 AAC 04.320

...

Except as provided in 5 AAC 01.190 and 5 AAC 04.320 – 5 AAC 04.390, salmon may be taken only follows:

- (1) In Subdistrict 1, from a date established by emergency order after July 1 through August 31
- (2) In Subdistricts 2 and 3, from a date established by emergency order between June 8 to June 20 through August 31
- (3) In Subdistricts 4–6, from a date established by emergency order between June 8 to June 20, through September 7;
- (4) In the Port Clarence District, during fishing periods established by emergency order from July 1 through July 31.

**What is the issue you would like the board to address and why?** It is recommended that season dates in northern Norton Sound, including Subdistrict 1, be amended to reflect recent management practices of prosecuting salmon fisheries beyond the existing regulatory closure date of August 31. Since the early 2000s, the overall trend toward increased coho salmon abundance in northern Norton Sound has led to commercial fishing opportunities being extended into September via Emergency Order. This is particularly evident in low water years with delayed coho salmon migration and in years of above average coho salmon runs that often have late pulses of fish near the tail end of the run.

Additionally, in warm years with earlier than average chum salmon run timing, there is no reason to delay the onset of Nome Subdistrict commercial chum salmon fishery in years of sufficient abundance. In years of lower abundance or later salmon run timing, the department retains the discretion to delay openings until escapement goals are achieved and subsistence uses of chum salmon are not jeopardized. However, in years of high abundance, an earlier start would provide the department with early indices of run strength and provide commercial users with additional opportunity.

Therefore, we propose that the potential opening of a commercial fishery in the Nome Subdistrict occur via a date established by Emergency Order on or after June 20. This would result in an alignment of season dates for all northern Norton Sound Subdistricts. We propose amending 5 AAC 04.310.

**PROPOSED BY:** Northern Norton Sound Fish and Game Advisory Committee (HQ-F18-012)

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**PROPOSAL 126**

**5 AAC 04.320. Fishing Periods.**

Remove restriction on the length of commercial salmon fishing periods in Norton Sound Subdistrict 1, as follows:

**5 AAC 04.320**

...

In the Norton-Sound Port Clarence Area, salmon may be taken only during periods established by emergency order. In subdistrict 1, salmon may be taken during no more than two 24-hour fishing periods per week established under this section.

**What is the issue you would like the board to address and why?** We propose to amend 5 AAC 04.320 so that fishing periods are established by Emergency Order throughout the Norton Sound District and Port Clarence District, including the Nome Subdistrict (Subdistrict 1). The department has incrementally increased the length of fishing periods from 24-hours to as much as 72-hours in certain instances in response to strong salmon runs. Nome Subdistrict chum salmon stocks have been re-built and are no longer designated as stocks of concern. Additionally, coho salmon runs to Nome Subdistrict rivers have supported record subsistence and commercial harvests in recent years. Substantial ground-based escapement monitoring infrastructure with several years of data have been established in the years following the adoption of severe restrictions to Nome Subdistrict fisheries. Commercial fishing effort is limited to a handful of permit holders and is expected to remain so. Removing the restriction on fishing period length in the Nome Subdistrict will ensure regulations are consistent with current management practices and give managers flexibility to set fishing periods that take run abundance and anticipated fishing effort into account.

**PROPOSED BY:** Northern Norton Sound Fish and Game Advisory Committee (HQ-F18-011)

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## **PROPOSAL 127**

### **5 AAC 04.362. Guideline harvest range for Port Clarence District.**

Repeal the Guideline Harvest Range for the Port Clarence District and replace with the *Port Clarence District and Pilgrim River Salmon Management Plan*, as follows:

### **5 AAC 04.362. Port Clarence District Salmon and the Pilgrim River Sockeye Salmon Management Plan.**

(a) The purpose of this management plan is to provide the department with management guidelines for the sustained yield of sockeye salmon stocks in Port Clarence District and in the Pilgrim River from July 1 through August 15.

(1) In the subsistence fishery,

(A) If the average sockeye salmon escapement from the previous two years is below the lower bound of the Pilgrim River sockeye salmon escapement goal range, the subsistence harvest limit for sockeye salmon will be no greater than 25 sockeye salmon per household;

(B) If the average sockeye salmon escapement from the previous two years is between the lower bound and midpoint of the Pilgrim River sockeye salmon escapement goal range, the subsistence harvest limit for sockeye salmon will be no greater than 50 sockeye salmon per household;

(C) If the average sockeye salmon escapement from the previous two years is between the midpoint and upper bound of the Pilgrim River sockeye salmon escapement goal range, the subsistence harvest limit for sockeye salmon will be no greater than 100 sockeye salmon per household;

(2) If the Pilgrim River sockeye salmon escapement goal is projected to be achieved, a commercial fishery may be opened by emergency order in the Port Clarence District consisting of not more than

(A) two 24-hour periods per week if the average sockeye salmon escapement from the previous two years is above the midpoint of the Pilgrim River sockeye salmon escapement goal range,

(B) two 48-hour periods per week if the average sockeye salmon escapement from the previous two years is above the upper bound of the Pilgrim River sockeye escapement goal range.

(a) Notwithstanding the provisions of (a), emergency orders may allow additional inseason adjustments to fishing time, area, and gear, including waiving subsistence limits and implementation of fishery closures, to achieve escapement goals and ensure optimal utilization of salmon harvestable surpluses.

**What is the issue you would like the board to address and why?** 5 AAC 04.362 was promulgated in 2007 when there were only four years of weir counts and an incomplete limited

understanding of the adverse impacts of large sockeye salmon escapements on the health of Salmon Lake. Beginning in 2009, the stock underwent a collapse due to successive large escapements ranging from 35,000–85,000 sockeye salmon from 2003–2007 that most likely exceeded the carrying capacity of the lake. Beginning in 2014, runs to Salmon Lake began to increase dramatically again resulting in record-setting subsistence harvest levels in the Pilgrim River and Port Clarence District. Recent limnological, smolt outmigration, and adult age, sex and size composition data indicate that another dramatic decline in runs is likely in the coming years.

At the time 5 AAC 04.362 was adopted, an arbitrary threshold level of inriver abundance was put forward as a trigger point to allow commercial fishing. This was largely due to incomplete knowledge regarding the level of subsistence need on the Pilgrim River, as well as an absence of a ground-based escapement goal for sockeye salmon. Since this regulation was adopted, several more years of high quality escapement, age, and subsistence harvest data have been collected.

These data have led directly to the department proposing a weir-based goal of 6,800–30,000 sockeye salmon, and more reliable estimates of subsistence harvests needs in high abundance years (10,000–15,000 fish). If the new proposed escapement goal range is adopted, subsistence and commercial fishery management should be predicated on escapements evaluated in the context of the goal, cumulative impacts of recent year escapements on the capacity of Salmon Lake to support rearing sockeye salmon, and anticipated subsistence harvest needs. Specifically, we recommend amending 5 AAC 04.362 to an escapement-based management plan and harvest policy that takes into account impacts to Salmon Lake of recent year escapements, current year escapement observations and projections and subsistence harvest needs.

**PROPOSED BY:** Northern Norton Sound Fish and Game Advisory Committee (HQ-F18-013)  
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