PROPOSAL 281

5 AAC 41.070. Prohibitions on importation and release of live fish.

Allow importation of live oysters from the Pacific Coast of North America for research purposes, as follows:

5 AAC 41.070 is amended to read:

…

(b) Live oysters [NATIVE TO AND ORIGINATING] from the Pacific Coast of North America may be imported**, transported, or possessed** for aquaculture purposes, **including research,** under a [STOCK] transport permit required by this chapter, and may be released into the waters of the state only if the

(1) broodstock is derived from oysters commercially cultured on the Pacific Coast of North America through three or more generations; and

(2) disease history or an inspection indicates no incidence of disease that is not indigenous to the state or is not considered to be a risk to indigenous stocks, and oyster health or marketability.

…

What is the issue you would like the board to address and why? Oysters are not native to the State of Alaska. While Alaskan waters are ideal for growing oysters, the waters are too cold for them to reproduce. Artificially spawning oysters in a hatchery setting is possible but not a cost-effective solution for supplying oyster spat to the aquatic farm industry. Oysters originating from the Pacific Coast of North America may be imported into Alaska for aquaculture purposes under terms of a stock acquisition permit, but they may not be imported, transported, or possessed for research purposes. This was likely an oversight when regulations related to aquatic farms were originally adopted because focus was on growing the aquaculture industry, not research. The governor's Mariculture Task Force has set a goal to grow a $100 million mariculture industry in 20 years. That growth will require research on aquatic farm species in Alaska. Research facilities have available funding and are ready to begin work immediately but are currently unable to legally obtain or possess Pacific oysters. Importation or possession of oysters in waters of Alaska or in laboratories for research purposes will not compete with the aquatic farm industry because oyster spat is readily available from commercial hatcheries outside the state and research facilities would be prohibited from selling oysters (AS 16.40.100. Aquatic Farm and Hatchery Permits).

PROPOSED BY: Alaska Department of Fish and Game. (*formerly known as ACR #2*)

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PROPOSAL 282:
5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan and 5 AAC 09.366. Post-June Salmon Management Plan for the South Alaska Peninsula.

Modify South Unimak and Shumagin Islands June fishery, as follows:

(d) In the South Unimak and Shumagin Islands fisheries, the commissioner may establish, by emergency order, commercial fishing periods as follows:

...

(3) notwithstanding (d)(1)(A) and (d)(2)(A) of this section, durations of commercial salmon fishing periods for all gear types authorized under (d) of this section, in the waters defined in (f) of this section will be as follows until the department expects the mid-point of the Chignik River early-run sockeye salmon escapement goal range to be met, or Chignik Management Area has its first commercial salmon fishing period for all gear types:

(A) beginning June 15, commercial fishing periods will begin at 6:00 a.m. and run 40 hours until 10 p.m on June 16;

(B) beginning June 20, commercial fishing periods will begin at 6:00 a.m. and run 40 hours until 10 p. m. on June 21;

(C) beginning June 25, commercial fishing periods will begin at 6:00 a.m. and run 40 hours until 10:00 p.m. on June 26;

Modify the Post-June Salmon Management Plan for the South Alaska Peninsula, as follows:

Notwithstanding 5 AAC 09.366(d), July 6 through July 31 commercial salmon fishing periods in the Shumagin Islands Section and the Dolgoi Islands Area (defined in (j) of 5 AAC 09.366) will be as follows until the department expects the mid-point of the Chignik River early-run sockeye salmon escapement goal range to be met or Chignik Management Area has its first commercial salmon fishing period:

<u>All Gear Types:</u>

July 6, 6:00 a.m. until midnight (2400 hrs)	Duration: 18 hours
July 10, 6:00 a.m. until midnight (2400 hrs)	Duration: 18 hours
July 14, 6:00 a.m. until midnight (2400 hrs)	Duration: 18 hours
July 18, 6:00 a.m. until midnight (2400 hrs)	Duration: 18 hours
July 22, 6:00 a.m. until midnight (2400 hrs)	Duration: 18 hours
July 26, 6:00 a.m. until midnight (2400 hrs)	Duration: 18 hours
July 30, 6:00 a.m. until midnight (2400 hrs)	Duration: 18 hours.

What is the issue you would like the board to address and why? In each of the last four years (2018-2021) the Chignik River early-run sockeye salmon escapement goal range has not been met (Table 1).

Based on Western Alaska Salmon Stock Identification Program data, sockeye salmon bound for the Chignik River are harvested in the Shumagin Islands Section and Dolgoi Islands Area (identified in 5 AAC 09.365(f) from mid-June through late July.

Under current regulations fishing time in the Shumagin Islands Section and Dolgoi Islands Area is not based on sockeye salmon escapement to the Chignik River. This proposal links fishing time in the Shumagin Islands and Dolgoi Islands Area to sockeye salmon escapement to the Chignik River

Table 1. Chignik sockeye salmon early-run escapement and goals, 2018-2021.

YEAR	ESCAPEMENT	GOAL (BEG)	TARGETED GOAL
2018	263,979	350,000 – 450,000	400,000
2019	345,918	350,000 – 450,000	400,000
2020	137,213	350,000 – 450,000	400,000
2021	264,615	350,000 – 450,000	400,000

PROPOSED BY: Don Bumpus *(formerly ACR #7)*

PROPOSAL 283

5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.
Amend the *Kenai River Late-Run King Salmon Management Plan* to allow fishing with set gillnet gear within 600 feet of the mean high tide mark in the Upper Subdistrict when sonar passage of large late-run Kenai River king salmon exceeds 13,500 fish, and Kenai and Kasilof river sockeye salmon escapement objectives are being met, as follows:

5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.

…

(d) If the projected late-run king salmon escapement is less than 15,000 king salmon 75 cm mid eye to tail fork and longer, the department shall

(1) close the sport fisheries in the Kenai River and in the salt waters of Cook Inlet north of the latitude of Bluff Point to the taking of king salmon;

(2) close the commercial drift gillnet fishery in the Central District within one mile of the Kenai Peninsula shoreline north of the Kenai River and within one and one-half miles of the Kenai Peninsula shoreline south of the Kenai River; and

(3) close the commercial set gillnet fishery in the Upper Subdistrict of the Central District**, except as provided in (e)(3)(H) of this chapter**.

…

(e)(3)(H) through December 31, 2022, if escapement of Kenai River late-run king salmon 75 cm mid-eye to tail fork and longer exceeds 13,500 fish and Kenai and Kasilof river sockeye salmon escapement objectives are being met, fishing with set gillnet gear may be allowed by emergency order within 600 feet of the mean high tide mark in the Upper Subdistrict. Commercial fishing opportunity under this provision will be structured to maximize harvest of surplus sockeye salmon and minimize harvest of king salmon, based on inseason analysis of ADF&G fish ticket, escapement, and other available information. The operation of set gillnets by a CFEC permit holder in these openings shall be restricted to one of the following:

(i) **up to four set gillnets that are each not more than 35 fathoms in length, 105 fathoms in aggregate length, and 29 meshes in depth, or two set gillnets that are each not more than 35 fathoms in length and 45 meshes in depth; set gillnets used that are not more than 29 meshes in depth must be identified at the end of the gillnet with an attached blue buoy that is not less than nine and one-half inches in diameter; or**

(ii) **up to two set gillnets that are each not more than 35 fathoms in length and 29 meshes in depth or one set gillnet that is not more than 35 fathoms in length and 45 meshes in depth; set gillnets used that are not more than 29 meshes in depth must be identified at the end of the gillnet with an attached blue buoy that is not less than nine and one-half inches in diameter.**

…

What is the issue you would like the board to address and why? Recent efforts to conserve Kenai River late-run king salmon and meet the Kenai River late-run king salmon optimal escapement goal of 15,000 large fish have resulted in foregone yield of Kenai River late-run and Kasilof River sockeye salmon. This proposal provides the Alaska Department of Fish and Game (department) an additional tool to harvest surplus sockeye salmon with set gillnet gear when Kenai River late-run large king salmon sonar passage exceeds 13,500 fish, which is the sustainable escapement goal for Kenai River large late-run king salmon established by the department, thereby assuring that a sustainable level of king salmon escapement is achieved while providing additional sockeye salmon harvest opportunity beyond what is currently allowed. In considering these emergency order openings the department will evaluate the number and size of king salmon harvested in the set gillnet fishery and manage conservatively to minimize king salmon harvest as well as the need to ensure provisions of other related management plans are being met. This will require careful coordination between the department, Alaska Wildlife Troopers, and fishery stakeholders.

PROPOSED BY: Alaska Board of Fisheries *(formerly BGP #1)*

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