

PROPOSAL 256 (formerly ACR 9) – 5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area. Repeal the no bait regulation and allow the use of non-roe bait for salmon, other than king salmon.

1) In the Togiak River Drainage

(1) Only unbaited, single hook, artificial lures or flies may be used to target King Salmon. The use of any roe is prohibited for any species of salmon, trout or char.

(2) Bait use – The use of any kind of roe, as bait is prohibited for all species. Non-roe bait may be used to wrap or tip artificial lures, or flies when targeting any species besides King Salmon. 28

(3) King salmon limits *20 inches or longer: no retention allowed. Any king salmon 20 inches or longer must not be removed from the water and must be released immediately.* • *Less than 20 inches: 10 per day, 10 in possession*

(4) Upstream of the confluence of Gechiak Creek and the Togiak River: • Closed year-round to fishing for king salmon.

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

In December of 2022, the Board of Fisheries adopted proposal 29 at the Bristol Bay Finfish meeting, which prohibits the retention of king salmon 20 inches or longer and prohibits the use of all bait when sport fishing for any species on the Togiak River. While this established a framework to conserve and protect adult king salmon, the action taken by the board on this proposal has severely limited the unique sport fishing opportunity that has been developed and implemented for sockeye specifically, but also chum, pink and silver salmon. The all-out bait ban that is currently in effect, largely ignores the fact that 95 percent of the bait traditionally used on the Togiak for king salmon has been cured salmon roe on a single hook, which is also the method with the highest mortality rate, and subsequently the method that has most negatively affected adult king salmon escapement in river over the last 20 years. Non-roe bait has been successfully used in previous seasons to safely and responsibly target not only sockeye, but chum, pink, and silver salmon as well, with no higher mortality than artificial lures on their own.

The Togiak River is not fed by glaciers but rather by a large lake like most Bristol Bay drainages. The difference being that the Togiak River has a different set of limitations when it comes to targeting sockeye by the most traditional Alaskan method – flossing or lining. With the river being fed by Togiak Lake, the water in the river has unbelievable clarity. This prevents the Togiak from having a traditional Kenai, Kasilof, or Russian River sockeye sport fishery in where flossing is the primary method of sport fisherman, because the water in the Togiak is not glacially stained like the aforementioned rivers. With the clear water, and inconsistent number of sockeyes moving along gravel bars due to commercial net schedules, you get very weary and hyper sensitive sockeye that will get spooked, and swim out around sport fishermen attempting to floss, making it a very difficult method to target sockeye, especially with inexperienced fishermen. The solution to this issue has taken many years to develop and is very effective at targeting sockeye in a way where flossing or snagging is not needed, and allows the sockeye to willingly bite.

Before Alaska Administrative Code Number 5 AAC: 67.022 was implemented, Togiak sockeye were targeted in areas where they had begun to stage or slow down before spawning. They could be caught

by fishing a maribou jig or fly, tipped with a small piece of prawn (shrimp) under a bobber. It turns out that sockeye will bite and will bite consistently with this combination. With the development of this method for sockeye during the 2020, 2021, and 2022 seasons – sport fishermen were able to target sockeye intentionally, harvest fish that were willing biters, and not have to hook them against their will by means of flossing, which is really just glorified snagging.

With king numbers down on the Togiak, just like other systems in Bristol Bay, more focus was put on targeting sockeye with this method because they are abundant, willing biters with jig and prawns, and are amazing fighters. This as you might imagine, was a huge hit for Togiak River Lodge guests and many people rebooked trips just to target sockeye with this new method. Here were the benefits to this fishery –

- Sport fishermen could target an abundant species in an ethical and unique manner
- Most of our guests did not want to target king salmon with this sockeye fishery available to them, thus reducing the overall pressure on king salmon and promoting more escapement on down years
- Togiak king salmon do not generally hold in the same water as the sockeye that are being targeted with jig and prawns, thus creating nearly zero by-catch
- If a king salmon was hooked as bycatch when targeting sockeye with jig and prawns, the chance of mortality was extremely low because jigs are almost always hooked right in the mouth and not swallowed like roe is.
- Togiak king salmon are not aggressive towards prawns like Togiak sockeye are.

With the passing of Alaska Administrative Code Number 5 AAC: 67.022, our sport fishery for sockeye has been very negatively affected, and thus has severely reduced our business in late June and July. On the Togiak River, salmon roe as bait is the real issue with regard to king salmon conservation. Like most places in Alaska, Togiak king salmon will ingest salmon roe on single hooks when used as bait all the way into their stomachs 99% of the time, which in turn usually proves fatal to the fish. Allowing the use of non-roe bait, such as prawns, to target sockeye would allow ample sportfishing opportunity, all the while not increasing the chances of king salmon bycatch or mortality, which was the original goal of Alaska Administrative Code Number 5 AAC: 67.022.

Lastly, There is almost zero overlap of Togiak king salmon and silver salmon (ADFG, Area sport fishing reports Bristol Bay) so a bait ban on non-roe bait during August and September when the silvers are in the river, does not accomplish conservation for king salmon but does limit sport fishing opportunity for Togiak silvers in mid-August and September .

PROPOSED BY: Zackery and Jordan Larsen for Togiak River Lodge

PROPOSAL 257 (formerly ACR 11) – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan. Amend the *Southeast Alaska King Salmon Management Plan* to align with the new method of calculating the Alaska all-gear catch limit adopted by the Pacific Salmon Commission as follows:

5 AAC 47.055 is amended to read:

(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 **allocation to the sport fishery as determined by 5 AAC 29.060** [SOUTHEAST ALASKA WINTER TROLL FISHERY CATCH PER UNIT EFFORT (CPUE)]. The bag and possession limits and other management measures established by the commissioner will remain in effect until **March 31** [JANUARY 31] of the following year. [IF THE NEW SOUTHEAST ALASKA WINTER TROLL FISHERY CPUE IS NOT AVAILABLE BY FEBRUARY 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 FISHERY CPUE, 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 harvest ceiling;

(3) minimize regulatory restrictions on resident anglers; and

(4) allow for the transfer of any projected unused balance in sport allocation to the troll fishery at a date determined by the department.

(c) When the **allocation of king salmon to the sport fishery, as determined by 5 AAC 29.060, is above 67,505** [SOUTHEAST ALASKA WINTER TROLL FISHERY 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 69,000 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, 28 inches or greater in length;

(3) from January 1 through June 30, a nonresident annual harvest limit of three king salmon, 28 inches or greater in length;

(4) from July 1 through July 15, a nonresident annual harvest limit of two king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through June 30 will apply towards the two fish annual harvest limit;

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

(6) 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.

(d) When the **allocation of king salmon to the sport fishery, as determined by 5 AAC 29.060, is between 55,261 and 67,505** [SOUTHEAST ALASKA WINTER TROLL FISHERY CPUE IS LESS THAN 20.5 AND EQUAL TO OR GREATER THAN 8.7, WHICH IS EQUIVALENT TO A KING SALMON ABUNDANCE INDEX OF LESS THAN OR EQUAL TO 2.2 AND GREATER THAN 1.8, THE SPORT FISHERY HARVEST LIMIT WILL BE 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, 28 inches or greater in length;

(3) from January 1 through June 30, a nonresident annual harvest limit of three king salmon, 28 inches or greater in length;

(4) from July 1 through July 15, a nonresident annual harvest limit of two king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through June 30 will apply towards the two fish annual harvest limit;

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

(6) 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.

(e) When the **allocation of king salmon to the sport fishery, as determined by 5 AAC 29.060, is between 43,644 and 55,260** [SOUTHEAST ALASKA WINTER TROLL FISHERY CPUE IS LESS THAN 8.7 AND EQUAL TO OR GREATER THAN 6.0, WHICH IS EQUIVALENT TO A KING SALMON ABUNDANCE INDEX LESS THAN OR EQUAL TO 1.8 AND GREATER THAN 1.5, THE SPORT FISHERY HARVEST LIMIT WILL BE 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, 28 inches or greater in length;

(3) from January 1 through June 30, a nonresident annual harvest limit of three king salmon, 28 inches or greater in length;

(4) from July 1 through July 15, a nonresident annual harvest limit of two king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through June 30 will apply towards the two fish annual harvest limit;

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

(6) 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.

(f) When the **allocation of king salmon to the sport fishery, as determined by 5 AAC 29.060, is between 32,191 and 43,643** [SOUTHEAST ALASKA WINTER TROLL FISHERY CPUE IS LESS THAN 6.0 AND EQUAL TO OR GREATER THAN 3.8, WHICH IS EQUIVALENT TO A KING SALMON ABUNDANCE INDEX OF LESS THAN OR EQUAL TO 1.5 AND GREATER THAN 1.2, THE SPORT FISHERY HARVEST LIMIT WILL BE 37,900 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, 28 inches or greater in length;

(3) from January 1 through June 30, a nonresident annual harvest limit of three king salmon, 28 inches or greater in length;

(4) from July 1 through July 15, a nonresident annual harvest limit of two king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through June 30 will apply towards the two fish annual harvest limit;

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

(6) 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 **allocation of king salmon to the sport fishery, as determined by 5 AAC 29.060, is between 22,388 and 32,190** [SOUTHEAST ALASKA WINTER TROLL FISHERY CPUE IS LESS THAN 3.8 AND EQUAL TO OR GREATER THAN 2.6, WHICH IS EQUIVALENT TO A KING SALMON ABUNDANCE INDEX OF LESS THAN OR EQUAL TO 1.2 AND GREATER THAN 1.0, THE SPORT FISHERY HARVEST LIMIT WILL BE 25,800 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 30, a nonresident annual harvest limit of three king salmon, 28 inches or greater in length;

(3) from July 1 through July 7, a nonresident annual harvest limit of two king salmon, 28 inches or greater in length; any king salmon harvested by the nonresident from January 1 through June 30 will apply toward the two fish annual harvest limit;

(4) from July 8 through December 31, a nonresident annual harvest limit of one king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through December 31 will apply towards the one fish annual harvest limit;

(5) [IF THE SOUTHEAST ALASKA WINTER TROLL FISHERY CPUE IS LESS THAN 3.8 AND EQUAL TO OR GREATER THAN 2.0,] a resident bag limit of two king salmon, 28 inches or greater in length, will be established in areas where conservation management measures have prohibited king salmon retention or closed fishing for king salmon for all anglers once they reopen.

(h) When the **allocation of king salmon to the sport fishery, as determined by 5 AAC 29.060, is between 19,752 and 22,388** [SOUTHEAST ALASKA WINTER TROLL FISHERY CPUE IS LESS THAN 2.6 AND EQUAL TO OR GREATER THAN 2.0, WHICH IS EQUIVALENT TO A KING SALMON ABUNDANCE INDEX OF LESS THAN OR EQUAL TO 1.0 AND GREATER THAN OR EQUAL TO 0.875, THE SPORT FISHERY HARVEST LIMIT WILL BE 20,600 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 30, a nonresident annual harvest limit of three king salmon, 28 inches or greater in length;

(3) from July 1 through December 31, a nonresident annual harvest limit of one king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through June 30 will apply towards the one fish annual harvest limit;

(4) [IF THE SOUTHEAST ALASKA WINTER TROLL FISHERY CPUE IS LESS THAN 3.8 AND EQUAL TO OR GREATER THAN 2.0,] a resident bag limit of two king salmon, 28 inches or greater in length, will be established in areas where conservation management measures have prohibited king salmon retention or closed fishing for king salmon for all anglers once they reopen.

(i) When the **allocation of king salmon to the sport fishery, as determined by 5 AAC 29.060, is less than 19,752** [SOUTHEAST ALASKA WINTER TROLL FISHERY 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 DETERMINED BY THE PACIFIC SALMON COMMISSION, AND] the commissioner may, by emergency order, implement the provisions specified in (g) and (h) of this section.

(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.

(l) A harvest record under 5 AAC 75.006 is required for nonresidents.

(m) The department shall manage the resident sport fishery so that there are no closures for residents, unless the commissioner determines that additional harvest reduction to the resident bag limits is necessary to comply with the Pacific Salmon Treaty.

(n) The provisions of this section do not apply after March 31, 2025.

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

In February 2023 the Pacific Salmon Commission adopted a new method of calculating the Alaska all-gear catch limit. The language within the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) references the now outdated “winter troll CPUE” and “king salmon abundance index” as the criteria for implementing a management tier. This proposal seeks to replace these outdated references within the management plan with the corresponding allocation range for the sport fishery in numbers of fish. By replacing the references to the metric used to calculate the Alaska all-gear catch limit with the allocation range to sport fishery, the management plan may be more resilient to changes made by the Pacific Salmon Commission in the method used to calculate the Alaska all-gear catch limit. This proposal seeks to update the management plan to align with changes made by the Pacific Salmon Commission without changing the number of management tiers, the management prescriptions, or other allocative components which due to a sunset clause included in the plan, will be before the board during the 2025 Southeast Alaska Finfish Meeting.

PROPOSED BY: Alaska Department of Fish and Game

PROPOSAL 258 (formerly ACR 12) – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan. Amend the *Southeast Alaska King Salmon Management Plan* to align with changes adopted by the Pacific Salmon Commission to maintain the troll and sport fishery allocations.

5 AAC 47.055 (c)(d)(e)(f)(g)(h)(i) is amended and an additional 10 paragraphs are added to create a total of 17 possible management tiers.

What is the issue you would like the board to address and why? Unlike any other state-managed fishery in Alaska, the SE Alaska all-gear king salmon harvest limit is set by the international Pacific Salmon Commission. The commission’s agreement that was in effect from 2019-2022, set the SE Alaska all-gear harvest limit into one of seven tiers based solely on the catch-per-unit-effort (CPUE) in the previous winter’s troll fishery. For the past 25 years, the hook-and-line portion of the SE Alaska harvest has been allocated 20% to sport and 80% to commercial troll. Thus, there were only seven possible sport harvest limits. Hence, the SEAK King Salmon Management Plan has seven possible management scenarios, one for each of these tiers. Beginning in 2023, the Pacific Salmon Commission changed the process that they use to determine the SE all-gear harvest limit. They are now using a combination of three input variables and a 17 tier system, with 17 possible all-gear harvest limits. Hence there are also 17 possible values for the 20% portion that is allocated to the sport fishery. Thus, in order to maintain the 20%:80% ratio, the 7 tiers referenced in 5 AAC 47.055 should be updated to reflect the 17 possible sport harvest limits. In 2022, when the Board of Fisheries last updated the SEAK King Salmon Management Plan, it was not anticipated that the 7 tier system for establishing the SE all-gear harvest limit (and consequently the SE sport limit), would be replaced by a 17 tier system with multiple inputs.

If the SEAK King Salmon Management Plan remains unchanged, it will dictate that the 2024 sport king salmon harvest limit will be one of only 7 possible values, based solely on the winter CPUE. Thus, the sport harvest limit will not be 20% of the hook-and-line total. It may be larger or smaller than 20% depending upon the winter CPUE and which of the 17 tiers the abundance happens to be in. This proposal is not intended to be allocative. Rather it's purpose is to maintain the historic 20%-80% allocation between sport and commercial troll.

PROPOSED BY: Tad Fujioka

PROPOSAL 259 (formerly ACR 13) – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan. Amend the *Southeast Alaska King Salmon Management Plan* so that the sport fishery does not exceed the annual sport fishery harvest ceiling, as follows:

5 AAC 47.055(b)(2) is amended to read:

(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) allow for the transfer of any projected unused balance in sport allocation to the troll fishery at a date determined by the department.

What is the issue you would like the board to address and why? On March 20, 2022, at the Southeast and Yakutat Finfish and Shellfish Board of Fisheries meeting a signed agreement (RC178) between Alaska Trollers Association (ATA), Southeast Alaska Guides Organization (SEAGO), and Territorial Sportsmen, Inc. was adopted. In the most recent regulatory update of January 2023 that agreement language was different and was adopted incorrectly under Register 244. The *Southeast Alaska King Salmon Management Plan* changed sport fishery management actions including as far as allowing a no inseason management regime. This incorrectly liberalizes the sport fishery king salmon harvest and is contrary to Alaska’s Sustainable Fisheries Policy. Managing the sport fishery under a plan based on a language error has caused the sport fishery to significantly exceed its allocation in 2023 with the potential to continue to do so in the future.

This error makes the management of the SEAK sport fishery contrary to the International Pacific Salmon Treaty language, Alaska’s Sustainable Fisheries Policy, and Alaska’s long-term practice of inseason management. Under 5 AAC 47.055 existing language, the sport fishery would likely exceed its allocation more often and by a greater amount, requiring reduced harvest in other Southeast Alaska king salmon fisheries. In 2023, the SEAK sport harvest is forecast to exceed its harvest allocation by 15,000 king salmon or roughly 40%.

PROPOSED BY: David Richey and Monique Wilkinson
