

## **PROPOSAL 111**

### **5 AAC 47.055. Southeast Alaska King Salmon Management Plan.**

Modify the management provisions and target allocation for the king salmon sport fishery, as follows:

(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. The bag and possession limits and other management measures established by the commissioner will remain in effect until March 31 of the following year.

(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 (**PSC**), 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] **the annual management target percentages as outlined in (c) through (i) below, or the PSC harvest ceiling; and**

**(3) Allow for a maximum nonresident annual harvest limit of 4 king salmon, 28 inches or greater in length; and**

(4) minimize regulatory restrictions on resident anglers; and

(5) 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 treaty king salmon to the sport fishery, as determined by 5 AAC 29.060, is greater than 69,014 fish, **a management target of 19% after the subtraction of the commercial net allocation specified in 5 AAC 29.060 from the harvest ceiling will be calculated and applied to the sport allocation 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] **TBD, (to be determined by department and sport representatives attending the meeting)** king salmon, 28 inches or greater in length;

(4) from July 1 through July 15, a nonresident annual harvest limit of [TWO] **TBD** 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] **TBD** fish annual harvest limit;

(5) from July 16 through December 31, a nonresident annual harvest limit of [ONE] **TBD** 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] **TBD** 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 treaty king salmon to the sport fishery, as determined by 5 AAC 29.060, is between 55,421 and 69,014 fish, a **19% management target after the subtraction of the commercial net allocation specified in 5 AAC 29.060 will be applied, and will be between 52,650 and 65,561 fish 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] **TBD** king salmon, 28 inches or greater in length;

(4) from July 1 through July 15, a nonresident annual harvest limit of [TWO] **TBD** 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] **TBD** fish annual harvest limit;

(5) from July 16 through December 31, a nonresident annual harvest limit of [ONE] **TBD** 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] **TBD** 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 treaty king salmon to the sport fishery, as determined by 5 AAC 29.060, is between 42,685 and 55,420 fish, an **adjusted 20% management target between 42,685 and 52,649 fish will be applied 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] **TBD** king salmon, 28 inches or greater in length;

(4) from July 1 through July 15, a nonresident annual harvest limit of [TWO] **TBD** 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] **TBD** fish annual harvest limit;

(5) from July 16 through December 31, a nonresident annual harvest limit of [ONE] **TBD** 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] **TBD** 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 treaty king salmon to the sport fishery, as determined by 5 AAC 29.060, is between 34,303 and 42,684 fish, **a 21% management target after the subtraction of the commercial net allocation specified in 5 AAC 29.060 will be applied, and will be between 36,018 and 42,684 fish 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] **TBD** king salmon, 28 inches or greater in length;

(4) from July 1 through July 15, a nonresident annual harvest limit of [TWO] **TBD** 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] **TBD** fish annual harvest limit

(5) from July 16 through December 31, a nonresident annual harvest limit of [ONE] **TBD** 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] **TBD** 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 treaty king salmon to the sport fishery, as determined by 5 AAC 29.060, is between 22,328 and 34,302 fish, **a 22% management target after the subtraction of the commercial net allocation specified in 5 AAC 29.060 will be applied, and will be between 24,561 and 36,017 fish and** the commissioner may, by emergency order, implement the following management measures:

(1) a **resident and nonresident** 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] **TBD** king salmon, 28 inches or greater in length;

(3) from July 1 through July 7, a nonresident annual harvest limit of [TWO] **TBD** 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] **TBD** fish annual harvest limit;

(4) from July 8 through December 31, a nonresident annual harvest limit of [ONE] **TBD**

(5) 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 treaty king salmon to the sport fishery, as determined by 5 AAC 29.060, is between 19,381 and 22,327 fish, a **22% management target after the subtraction of the commercial net allocation specified in 5 AAC 29.060 will be applied, and will be between 21,319 and 24,560 fish and** the commissioner may, by emergency order, implement the following management measures:

(1) a **resident and nonresident** 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]**TBD** king salmon, 28 inches or greater in length;

(3) from July 1 through December 31, a nonresident annual harvest limit of [ONE] **TBD** 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] **TBD** fish annual harvest limit;

(4) 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 treaty king salmon to the sport fishery, as determined by 5 AAC 29.060, is less than 19,381 fish, **a 22% management target will be calculated and applied to the sport allocation after the subtraction of the commercial net allocation specified in 5 AAC 29.060 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 JULY 31, 2025.**]

**What is the issue you would like the board to address and why?** The King Salmon Management Plan, (KSMP), has no mechanism to prevent the annual nonresident sport harvest from reaching levels that negatively impact other user groups. This proposal suggests management targets that

range from 19-22 percent, with the intention of curbing extreme sport Chinook harvests that create several serious issues. If managed properly, this proposal avoids long term Chinook fishery problems, and results in the sport treaty Chinook harvest maintaining the objective of a 20 percent average after the subtraction of the commercial net allocation specified in 5 AAC 29.060. The present KSMP, with the open-ended sport harvest regime, has complex problems that don't involve just a simple 20% average.

First and foremost, due to the terms of the 2019 Pacific Salmon Treaty (PST) agreement which include new incidental mortality provisions, the current KSMP has potential to cause serious trouble for Alaska's Chinook fisheries.

In 2022, the Department commented on proposal 91 that would have allowed trollers to catch 100% of their allocation during the July opening in low abundance years. The Department stated that:

Under terms of the 2019 PST, the Pacific Salmon Commission (PSC) implemented guidelines for acceptable levels of incidental mortality in AABM fisheries and developed triggers for incidental mortality levels that would precipitate a discussion to determine if fishery adjustments were needed, and to recommend any appropriate remedial action to ensure that the parties do not exceed incidental mortality limits.

Additionally, the 2019 PST agreement includes a commitment to discuss within the Commission significant management changes that a Party is considering, that may alter the stock or age composition and incidental mortality of a fishery regime's catch.

The sport fishery under the current KSMP, has the ability to negatively impact other fisheries incidental mortality levels and stock compositions. In 2023, when the sport fishery harvested 28.9% it caused the troll Chinook opening in August to be restricted to just one day. Not only did that alter that fisheries stock and age composition, it increased the incidental mortality of the fishery. It is not inconceivable, that if we continue with this plan, the unrestricted sport fishery will have the potential to eliminate the troll August king opening altogether on similar to lower quota years.

Since the sport fishery is only restricted under the KSMP if in danger of forcing Alaska over its PST allocation, any unharvested Chinook allocation available to the net fisheries is susceptible to forfeit to the sport fishery as well. Even though the net fisheries are considered outside of the troll/sport treaty Chinook sharing agreement, if there is only net Chinook allocation available, the sport fishery could take it under this KSMP, whether the nets can harvest it or not. Again, possibly generating incidental mortality concerns with those fisheries as well. This proposal has management threshold targets that will prevent this from happening.

The second issue is that as far as Chinook fishery management as a whole, having one user group operating without in-season management creates problems when trying to achieve both management and allocation objectives. The commercial fishery managers have hard target percentages of treaty Chinook they are managing for, and having the sport fishery harvest constantly invade and change those targets can create chaos. This proposal puts all managers on the same playing field with concrete Chinook harvest targets to manage for.

The current KSMP generates tension and anxiety among the commercial user groups who depend on their harvest share of the treaty Chinook allocated to Alaska. Seinners, gillnetters and trollers should all be entitled to harvest their allocation of treaty Chinook salmon and the current plan jeopardizes that.

This proposal takes into account one of the main concerns expressed by the charter representatives, which is that in low abundances years, there aren't enough fish for the nonresident sport harvest to support a successful charter fishery. Although, I disagree with that, because the charter fishery was quite successful with a 20% hard cap in the past, I have proposed raising the sport management target to 22% for the three lowest abundance tiers. Yes, that will hurt the troll fleet in low abundance years, but I contend the fleet will recover those losses in the two upper tiers of abundances with a sport management target at 19%.

The current KSMP includes minor and, in my opinion, inconsequential changes to nonresident Chinook harvest during periods of low Chinook abundance. This proposal will require some adjustments to nonresident annual limits and ensure that nonresidents have a fair share of the conservation burden during those times.

I have left the annual limits for nonresidents to be determined by the department and sport representatives at the upcoming meeting. In the past when the sport fishery was managed to a cap of 20%, the sport representatives met with the Department to configure the management of their fishery. That worked well then and will also work for this proposal.

This proposal has a maximum nonresident annual limit of 4 kings, 28 inches or greater in length. In the past when the sport fishery was capped at 20%, in high abundance years, nonresidents were taking home 5 and 6 king salmon apiece and I think that is excessive. Basically, it can lead to waste when you consider the amount of additional species of fish a nonresident typically harvests on a fishing trip to Alaska.

This proposal does not affect the resident sport Chinook fishery and I agree with section (m) of this proposal where 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.

**Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.** No

**PROPOSED BY:** Steve Merritt

(HQ-F24-028)

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