

PROPOSAL 114

5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

Reduce the nonresident annual limit in low allocation management tiers and other modifications to the *Southeast Alaska King Salmon Management Plan*, 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, 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 treaty king salmon to the sport fishery, as determined by 5 AAC 29.060, is greater than 69,014 fish 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 treaty king salmon to the sport fishery, as determined by 5 AAC 29.060, is between 55,421 and 69,014 fish 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

(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 treaty king salmon to the sport fishery, as determined by 5 AAC 29.060, is between 42,685 and 55,420 fish 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

(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 treaty king salmon to the sport fishery, as determined by 5 AAC 29.060, is between 34,303 and 42,684 fish 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

(2) a nonresident bag limit of one king salmon, 28 inches or greater

(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 7 [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 8 [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 7 [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 treaty king salmon to the sport fishery, as determined by 5 AAC 29.060, is between 22,328 and 34,302 fish 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 **two** [THREE] king salmon,

(3) from July 1 through **December 31** [JULY 7], a nonresident annual harvest limit of **one** [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 **one** [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) 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 **less than 22,328** [BETWEEN 19,381 AND] fish, 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 **December 31** [JUNE 30], a nonresident annual harvest limit of **one** [THREE] king salmon,

[(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) 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 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 current King Salmon Management Plan (KSMP) does not adequately address nonresident harvest in years of low treaty Chinook salmon abundance.

Even though they are responsible for the bulk of the sport caught Chinook in Southeast Alaska, there is very little change in nonresident annual harvest limits throughout the plan. There is a minimal sacrifice of one king from their annual limit in the three lower management tiers, one to two weeks in July, but nonetheless, their burden of conservation needs to be more.

Commercial users have lower quotas during times of low treaty Chinook abundance and are managed accordingly. Resident sport anglers daily bag limits, in general, are also lowered throughout the KSMP.

There are reasons other than simple fairness to decrease nonresident annual harvest limits in the lower tiers of abundance. A Department announcement on March 28, 2024 states:

The preseason outlook is for continued poor production of SEAK Chinook salmon stocks, including seven stocks (Chilkat, Taku, King Salmon, Stikine, Unuk and Chickamin Rivers and Andrew Creek) as Stocks of Management Concern. Although the Chilkat, Taku, Unuk stocks are projected to meet their escapement goals given no or little harvest occurring, run forecasts are still well below long-term average production. **This will necessitate a management regime aimed at minimizing catches of these stocks** in accordance with Board adopted action plans. [Emphasis added]

Several Southeast Alaska (SEAK) runs are currently managed under Stock of Concern (SOC) action plans to help them recover. Lower 48 and Canadian Chinook abundance often does not coincide with the abundance of SEAK runs. In most cases, the lower treaty Chinook abundance goes, SEAK runs become more susceptible to being caught. That is because the surrounding population of other stocks insulating them from harvest is down. When SEAK runs are in their lower cycle of abundance the matter of their conservation becomes more serious. SEAK Chinook are most prevalent in the local waters May and June, and in this case, increased SEAK harvest risks ruination of the SOC action plans advances. This is why the KSMP nonresident annual limit of 3 kings before July 1st, should be altered during low treaty Chinook abundances.

Since these SOC plans reopen areas near the river terminal area the middle of June, it is prudent, in the very lowest tier of treaty fish abundance, to change the resident bag limit in section (h)(4) to one king instead of two. The tail end of the SEAK runs are still in those surrounding waters and increasing the resident bag limit for those areas also poses a risk of reducing the gains attained by the SOC action plans. See Department run timing graph below. The graph lines from left to right show Taku, Stikine, Situk, Chilkat, Unuk and Chickamin Chinook runs.

The KSMP nonresident annual harvest limit of 3 kings through June 30th itself, is creating a client race to fish Alaska before July 1st. Tour ships begin visiting Southeast towns in May bringing more potential clients to fish in the areas that are not under SOC action plans. In Craig, the majority of charter lodges are running at a moderate to high level by mid-June. All of these factors result in pressure building on the harvest of king salmon by nonresidents before July 1st.

During low treaty Chinook abundances, not only do we have to consider SEAK runs, but also must address the fact that other treaty Chinook are in need of stricter conservation measures. Our KSMP needs to facilitate the recovery of those Chinook stocks simultaneously and it is lacking.

This proposal eliminates section (i) because it does not make rational sense. Why have a tier regarding sport harvest during the lowest abundance levels that instructs the commissioner to implement the harvest measures from two higher abundance tiers? In this proposal, any sport fishery allocation, as determined by 5 AAC 29.060 to be less than 22,328 fish, results in a nonresident annual limit of one king and resident anglers will have a daily bag limit of one king.

The charter operators will be impacted by this proposal on the lower tiers of abundance. This proposal keeps the basic foundation of the nonresident harvest plan intact with meaningful conservation measures in place. It also allows charter operators to entice clients with the prospect of harvesting at least one king in the very lowest abundance situation.

The current KSMP set nonresident annual harvest limits to aid the business plan of the charter industry, but business plans should never supersede conservation of the resource. If we start superseding conservation to the impacts on business plans, the best business plans of the future will fail because there won't be any salmon left to facilitate them.

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

PROPOSED BY: Steve Merritt

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