

PROPOSAL 134

5 AAC 33.392. Size limits and landing of king salmon.

Expand landing and retention requirements for king salmon by purse seine permit holders and establish penalties for violating landing requirements.

5AAC33.XX Unlawful Possession of King Salmon

(A) A Southeast Alaska Purse Seine permit holder shall not have king salmon retained, in their possession, or on board their purse seine vessel any king salmon unless permitted by emergency order. All king salmon not being retained, must be immediately returned unharmed to the water.

(B) If permitted under an emergency order, king salmon can be retained during an open fishing period. The king salmon must be offloaded and documented on an ADFG fish ticket under 5AAC39.130. All king salmon must be offloaded prior to participating in a future salmon purse seine open fishing period.

(C) The seine vessel or SE Alaska purse seine permit holder can not participate in a future SE Alaska purse seine salmon fishery for the statistical year unless subsection (B) is complied with. Violation of subsection (A) is punishable as a violation with a set fine on the Alaska Court Bail schedule of \$150 plus restitution of \$150 for each king salmon.

What is the issue you would like the board to address and why? Commercial Southeast Alaska(SE AK) salmon purse seine operators continue to catch and retain large numbers of illegal and undocumented king salmon.

Currently, it's illegal for purse seine operators to retain king salmon greater than 28 inches in length except for an opener or two during the summer. King salmon under 28 inches can be retained as personal use fish by emergency order.

Purse seiners do not specifically target a certain species of fish. They catch everything and its up to the crew of the seine vessels to sort the unwanted species (bycatch) such as steelhead and king salmon. Many crews sort the bycatch from going into the fish hold, some do not. The crews who do sort the fish effectively, take great pride in the fact that they can routinely conduct an offload of their catch and not have one illegal fish.

In areas of higher king salmon abundance such as the west side of Prince of Wales Island (PoW) and the lower east side of PoW, seiners can catch hundreds of king salmon during an opener. As one seine tender(buyer) reported, a single seine vessel during a 2023 offload had over 300 king salmon during a non-retention period. The tender captain was upset because the seine crew tossed all 300+ king salmon into the ocean during the offload. This type of event is routine. Fish processors instruct the tenders who purchase fish for them on the fishing grounds to toss all king salmon and steelehead onto the seine vessel or into the ocean.

One local processor in Craig during 2023 was educated by ADFG during mid-summer about donating king salmon. ADFG began to allow processors to take king salmon into the fish plants to be processed for donation only. The local Craig plant donated approximately 1000 king salmon to the communities on PoW. This was after Alaska Wildlife Troopers monitored seine offloads and the fleet was aware of the enforcement activities.

Residents of PoW are very aware and concerned about king salmon and the seine caught bycatch. Residents fish for king salmon during seine openings. They see one seine vessel haul its net and several king salmon will be instantly sorted and tossed back into the ocean while the vessel right next to the first vessel tosses nothing back. Residents watch these seine vessels return to the harbors and offload carts of king salmon. The local custom fish processors pick up the fish from the crew

in direct view of the public eye. Almost all of these king salmon have not been reported on an ADFG fish ticket and are undocumented.

The East PoW AC discussed solutions to this issue. Several salmon studies were reviewed regarding the survival rates of net caught salmon. We also reviewed Washington State's regulation requiring Puget Sound seine boats to use a recovery box prior to releasing king salmon. We learned that recovery boxes do increase survival rates even if the fish are injured but even without the use of recovery boxes, king salmon greater than 28" that were immediately released from a seine net still have decent survival rates.

During a East PoW AC meeting, a local SE AK salmon seine permit holder expressed his concerns about recovery box requirements. They would be burdensome to install and take a lot of room on the deck if they had to be big enough to hold all the fish they catch. They can catch a large number of kings at once so this would be impractical. The group agreed recovery boxes in SE AK were not a good solution. The local SE AK permit holder did agree that the best solution would be to set a penalty for every illegal king salmon of \$150/fish to deter this conduct.

The PoW Court has consistently issued the lowest fines to seine permit holders even though the PoW area has a real issue with seine vessels retaining illegal king salmon. Other courts issue fines up to 10 times higher than the PoW Court. It was agreed there should be a set fine per king salmon retained. The penalty should be a violation and not hold demeritus points. The recommended fine should be \$150 plus \$150 restitution for each king salmon.

The SE AK seine fleet is sloppy when they sort king salmon until Alaska Wildlife Troopers begin to monitor offloads. The local SE AK seine permit holder stated that it is very practical to sort kings and toss them overboard alive UNLESS they slow down a few extra minutes as they roll thousands of pounds of salmon on the deck and allow their crew the necessary time needed to release the kings alive. In years past, the whole seine fleet does this once enforcement begins monitoring the offloads.

If this regulation is passed, the AK Court Bail Schedule, Alaska Wildlife Troopers and the Alaska Court System can easily issue violations with set fine amounts to those who retain illegal king salmon. The option of a court issuing extremely small fines will no longer be a factor and the extra few minutes of releasing king salmon alive will be worth it to the seine boat captains. The fine is set equal to the sport fishing fine for illegal retention of a king salmon.

If passed, this will also show that Alaskans are doing our part to conserve king salmon, eliminate bycatch and preserve our fisheries.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain. Yes. The East PoW AC.

PROPOSED BY: East PoW AC

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