

ALASKA DEPARTMENT OF FISH AND GAME

STAFF COMMENTS ON
COMMERCIAL, PERSONAL USE, SPORT AND SUBSISTENCE
REGULATORY PROPOSALS

FOR

STATEWIDE FINFISH AND SUPPLEMENTAL ISSUES

ALASKA BOARD OF FISHERIES MEETING
ANCHORAGE, ALASKA

March 17–21, 2026



Regional Information Report No. 5J26-03

The following staff comments were prepared by the Alaska Department of Fish and Game (department) for use at the Alaska Board of Fisheries (board) meeting, March 17–21, 2026, in Anchorage, Alaska. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

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ANCHORAGE, ALASKA**

March 17–21, 2026

by
Alaska Department of Fish and Game

Alaska Department of Fish and Game
Division of Sport Fish, Research and Technical Services
333 Raspberry Road, Anchorage, AK 99518–1565

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ABSTRACT

This document contains Alaska Department of Fish and Game (department) staff comments on regulatory proposals on commercial, personal use, sport, subsistence and supplemental regulatory proposals for Statewide Finfish and Supplemental Issues. These comments were prepared by the department for use at the Alaska Board of Fisheries meeting, March 17–21, 2026, in Anchorage, Alaska. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change, as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

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Summary of department positions on regulatory proposals for Statewide Finfish and Supplement Issues; Anchorage, March 17–21, 2026.

Proposal No.	Department Position	Issue
Group 1: Subsistence and Sport Fisheries and Gear (10 proposals)		
162	N	Prohibit the use of commercial transport services in all subsistence fisheries.
176	O	Allow anglers fishing from the same vessel to pool bag and possession limits.
177	O	Allow anglers fishing from the same vessel to pool bag and possession limits.
178	O	Modify the definition of bag limit.
179	O	Establish a statewide annual limit for king salmon of 10 fish.
180	O	Establish a statewide annual limit for king salmon of five fish.
181	S	Align regulatory and statutory language for sport fishing gear.
182	O	Establish bow fishing as lawful sport fishing gear for species without a bag or possession limit.
183	S	Amend regulations requiring conditions of fish available to inspection while in possession.
184	S	Align the sport fish definition of rockfish with the statewide definition.
Group 2: Commercial Fisheries (13 proposals)		
11	N	Close state waters to commercial groundfish fishing with trawl gear west of long 170°W.
163	O	Define all trawl gear operated inside state waters as nonpelagic and develop new performance and monitoring standards to allow state-waters pelagic trawling to occur on a case-by-case basis.
164	O	Establish bottom contact monitoring requirements for pelagic trawl gear operated inside state waters.
165	O	Establish salmon excluder requirements for all pelagic trawl gear operated inside state waters.
166	N	Amend statewide definition of a mechanical jigging machine.
167	N	Prohibit vessels from having other groundfish gear or equipment onboard while participating in a groundfish fishery using mechanical jigging machines or hand troll gear.
168	N	Prohibit vessels from having more than one groundfish gear type onboard when participating in a state-managed groundfish fishery.
169	S	Create a definition of groundfish coil spring or “slinky pot.”
173	S	Provide emergency order authority to define fishing boundaries when regulatory markers are lost, destroyed or otherwise absent.
174	O	Allow the engine of a purse seine vessel or skiff to be shut off when the purse seine is deployed.
186	N	Reduce commercial salmon fishing opportunity with drift gillnet gear in the Central District of the Cook Inlet Area.
187	N	Close the Tsiu River and all waters within one-quarter mile of the Tsiu River and Kaliakh River confluence to commercial fishing for salmon.
175	O	Modify dipnet mesh-size and configuration.

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Proposal No.	Department Position	Issue
Group 3: Hatcheries (3 proposals)		
170	O	Reduce the permitted egg take level of each hatchery permit containing pink and chum salmon by 25% of the current permitted capacity for those species.
171	O	Amend Prince William Sound hatchery permits to reduce pink salmon egg take capacity.
172	O	Board generated regulation that places a moratorium on pink and chum hatchery production.

N = Neutral; S = Support; O = Oppose; NA = No Action; WS = Withdrawn Support

COMMITTEE OF THE WHOLE—GROUP 1: SUBSISTENCE AND SPORT FISHERIES AND GEAR (10 PROPOSALS)

SUBSISTENCE FISHERIES (1 PROPOSAL)

PROPOSAL 162– 5 AAC 01.010. Methods, means, and general provisions.

PROPOSED BY: Ahtna Intertribal Resource Commission.

WHAT WOULD THE PROPOSAL DO? This would prohibit the use of commercial transport services in all subsistence fisheries.

WHAT ARE THE CURRENT REGULATIONS? Subsistence fishing guide services are prohibited in the Glennallen Subdistrict (5 AAC 01.620 (1)). There are no other regulations related to the use of commercial services in subsistence fisheries.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? This would make it more difficult for a person who currently relies on commercial transport services to access subsistence fishery resources.

BACKGROUND: The department does not have any information on the number of commercial transport services used in subsistence fisheries statewide. Field reports from area staff throughout the state indicate that use of these services is likely limited relative to the total number of subsistence users statewide. In December 2024 the board considered a proposal to prohibit commercial operators, in the Glennallen Subdistrict, from transporting state subsistence permit holders engaged in subsistence fishing activities. This proposal failed.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Current regulations are presumed to provide reasonable opportunity for subsistence uses and access to commercial transport services may provide access to fisheries and increase participation for some subsistence users. To meet the board’s statutory responsibility to the subsistence law, it should consider whether subsistence regulations continue to provide a reasonable opportunity for subsistence uses if the proposal is adopted.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional direct cost for the department.

SPORT FISHERIES (9 PROPOSALS)

PROPOSAL 176 – 5 AAC XX.XXX. New Section.

PROPOSED BY: Brian Ritchie, Homer Charter Association.

WHAT WOULD THE PROPOSAL DO? This would allow anglers sport fishing from a vessel in saltwater to pool their cumulative bag and possession limits with other anglers fishing on that vessel, effectively creating a “vessel limit.” Annual limits would continue to apply for each individual angler. Any harvest by the captain or crew of a charter vessel would not be allowed to be pooled with clients into the vessel limit but would be required to be identified as crew harvest. The captain and crew of a charter vessel would be prohibited from giving any part of their harvest to any passenger of their vessel during or after a trip.

WHAT ARE THE CURRENT REGULATIONS? Sport fishing bag, possession, and annual limits are specific to each angler, pooling limits is not permitted. As defined in 5 AAC 75.995(a)(4), a retained fish becomes part of the bag limit of the person originally hooking it.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Utilizing a vessel limit allows anglers to more efficiently achieve their maximum sport harvest and more anglers are expected to achieve their maximum bag limit. For species where a size limit applies, the number of fish released (and the subsequent release mortality) may be reduced. However, these savings may be offset by the expected increase in total sport harvest. The increase in harvest may require more restrictive regulations in various finfish and shellfish saltwater sport fisheries across the state to achieve management objectives. In fisheries within State of Alaska waters where preferential bag and possession limits have been established for resident anglers, those preferential limits would be pooled with those of nonresidents as part of the vessel limit. Vessel limits would not be applied to freshwater boat fisheries, personal use, or subsistence fisheries and would create a complex regulatory environment where overlap between these fisheries exist. This proposal would not impact harvest rules for halibut, which are established by federal regulation.

BACKGROUND: Similar proposals have been submitted to the board in previous meetings: Prince William Sound (2005), Southeast (2015) and Upper and Lower Cook Inlet (2017) but were specific to the respective region. Past proposals have not been adopted based on concerns related to enforceability, increased complexity, and uncertainty in harvest impacts. Vessel limits have not previously been used as a management tool in Alaska sport fisheries. Anglers may aid other anglers by helping to land fish, but the fish becomes part of the bag limit of the angler who originally hooked it.

In most marine sport fisheries in the United States the angler must stop fishing once their individual bag limit has been reached. California is an exception where anglers fishing from a vessel in marine waters may continue sport fishing until the sum of the individual angler’s bag limit has been reached. In some sport fisheries a vessel limit applies, which is lower than the sum of the individual anglers bag limit, and anglers must stop fishing once the vessel limit has been reached. In Oregon,

anglers fishing from a vessel in marine waters may pass their rod to another angler before the fish is landed but must stop fishing once their bag limit has been reached.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Individual bag, possession, and annual limits are used as a management tool to control harvest in the sport fishery. If adopted, establishing a vessel limit reduces the effectiveness of the current management tools and is expected to increase sport harvest, potentially resulting in more restrictive regulations in saltwater sport fisheries across the state.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 177 – 5 AAC XX.XXX. New Section.

PROPOSED BY: Southeast Alaska Guides Association.

WHAT WOULD THE PROPOSAL DO? This would allow anglers sport fishing from a boat in saltwater to pool their cumulative bag and possession limits with other anglers fishing on that vessel, effectively creating a “vessel limit.”

WHAT ARE THE CURRENT REGULATIONS? Sport fishing bag, possession, and annual limits are specific to each angler; pooling limits is not permitted. As defined in 5 AAC 75.995(a)(4) a retained fish becomes part of the bag limit of the person originally hooking it.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Utilizing a vessel limit allows anglers to more efficiently achieve their maximum sport harvest and more anglers are expected to achieve their maximum bag limit. For species where a size limit applies, the number of fish released (and the subsequent release mortality) may be reduced. However, these savings may be offset by the expected increase in total sport harvest. The increase in harvest may require more restrictive regulations in various finfish and shellfish saltwater sport fisheries across the state to achieve management objectives. In fisheries within State of Alaska waters where preferential bag and possession limits have been established for resident anglers, those preferential limits would be pooled with those of nonresidents as part of the vessel limit. Vessel limits would not be applied to freshwater boat fisheries, personal use, or subsistence fisheries and would create a complex regulatory environment where overlap between these fisheries exist. This proposal would not impact harvest rules for halibut, which are established by federal regulation.

BACKGROUND: This proposal is similar to proposal 176 but is distinguished by omitting the provisions that would prevent a charter captain or crew from being included in the pooled vessel limit or the prohibition on sharing their harvest with passengers. Additional background information is provided in proposal 176.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Individual bag, possession, and annual limits are used as a management tool to control harvest in the sport fishery. If adopted, establishing a vessel limit reduces the effectiveness of the current management tools and is expected to increase sport harvest, potentially resulting in more restrictive regulations in saltwater sport fisheries across the state.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 178 – 5 AAC 75.995. Definitions.

PROPOSED BY: Lucas Bastian.

WHAT WOULD THE PROPOSAL DO? This would allow a fish to be entered into the sport fish bag limit of any angler taking part in the take, not just the angler who hooked the fish.

WHAT ARE THE CURRENT REGULATIONS? Currently “bag limit” is defined in 5 AAC 75.995(a)(4) and includes direction that a fish becomes part of the bag limit of the person originally hooking it. Anglers may aid others requiring assistance by helping to land fish, but the fish is part of the bag limit of the angler who originally hooked it.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Anglers would be able to receive assistance when taking fish, including the action of hooking a fish. Anglers fishing in groups are more likely to achieve their maximum bag and possession limit as multiple anglers may fish but then hand off a hooked fish to another angler even after their own bag limit has been reached. This may complicate enforcement by increasing pooling of bag limits.

BACKGROUND: Anglers commonly assist other anglers by baiting hooks, reeling in an especially large fish, operating a landing net and other tasks such as assisting youth anglers with casting a lure. In sport fishing regulations it has been a long-standing regulation that the catch is applied to the bag limit of the individual originally hooking the fish.

Alaska residents who are blind, 65 years of age or older, are physically disabled, or who are developmentally disabled may be eligible for a proxy fishing permit which would allow another angler to fish independently for that individual or provide all forms of assistance including hooking the fish.

The use of rod and reel is a permitted gear type in some subsistence fisheries; the board may consider if this proposal would be extended to apply to all fisheries where a rod and reel is a permitted gear type.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Allowing one angler to assist another by hooking the fish complicates enforcement and may encourage the pooling of bag limits.

As drafted in proposal 178, changes to 5 AAC 75.995 (a)(4) could be interpreted to imply a fish is applied to the bag limit of any and all anglers assisting in the take. If adopted, the department recommends that the board clarify intent with substitute language.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 179 – 5 AAC 75.XXX. New Section.

PROPOSED BY: Paul Warta

WHAT WOULD THE PROPOSAL DO? This would establish a statewide sport fishing annual limit of 10 king salmon, 20 inches or greater in length. All king salmon retained would have to be recorded on the back of the angler's license or on an annual harvest record card for individuals who do not have a paper license.

WHAT ARE THE CURRENT REGULATIONS? There is no statewide sport fishing annual limit for king salmon. Annual limits have been established for king salmon in specific areas of the state. Anglers are required to purchase a king salmon stamp to retain a king salmon and follow area- or drainage-specific sport fishing regulations (5 AAC 47 – 5 AAC 75). A harvest record is required for all anglers when harvesting a species with an annual limit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Anglers would be limited to 10 king salmon, 20 inches or greater in length or less annually, and would be required to record king salmon 20 inches or greater in length. It is unknown how many individuals harvest more than 10 king salmon 20 inches or greater in length, but it may reduce overall harvest of king salmon in areas where annual limits do not already exist. This may reduce harvest opportunity when surplus is available. Likely the largest impact will be for residents of Southeast Alaska where the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) directs the department to establish annual limits for nonresident anglers, but resident anglers do not have an annual limit.

BACKGROUND: Currently, king salmon are managed by drainage or management area, and the purchase of a king salmon stamp is required. The Board of Fisheries has established king salmon annual limits in sport fishing regulations throughout the state, and those limits can vary between resident and nonresident anglers. Additionally, there can be a combined annual limit and recording requirement; for instance, in Cook Inlet salt waters and fresh waters of West Cook Inlet, Susitna River Drainage, Knik Arm, Anchorage Bowl, and Kenai Peninsula, the combined annual limit is five king salmon, 20 inches or longer.

Various management plans and stock of concern action plans specify annual limits for king salmon which are generally lower than 10. In some cases, a statewide annual limit may limit management plans designed to harvest surplus king salmon during times of abundance, for example: Stikine River King Salmon Management Plan (5 AAC 47.057). In areas where Alaska-hatchery produced king salmon are returning, an annual limit may unnecessarily restrict sport harvest. The department has emergency order authority to reduce the bag, possession, and annual limit of king salmon and require reporting when necessary. King salmon harvest in sport fisheries is at historical lows due to low king salmon productivity and conservative management actions taken by the board and the department.

According to the statewide harvest survey, the majority of king salmon sport harvest occurs in the marine waters of Southeast Alaska. King salmon harvest in Southeast Alaska is subject to the terms and conditions of the Pacific Salmon Treaty, and the sport fishery is managed in accordance with

the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) and the *Allocation of King Salmon in the Southeastern Alaska-Yakutat Area* (5AAC 29.060).

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. King salmon are currently managed by area or drainage using existing management tools. The department uses emergency order authority to restrict and liberalize king salmon sport fisheries at the drainage and/or area level when appropriate. The addition of a statewide annual limit would add regulation complexity and may unnecessarily limit harvest opportunity in some instances. All anglers across the state would now need to record their harvest of king salmon over 20 inches. There may be confusion about how the proposed statewide annual limit interacts with various existing management plans or existing annual limits and may require additional board direction. The department is neutral on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal would not result in additional direct cost for the department.

PROPOSAL 180 – 5 AAC 75.XXX. New Section.

PROPOSED BY: Earl Krygier

WHAT WOULD THE PROPOSAL DO? This would establish a statewide sport fish annual limit of five king salmon, 20 inches or greater in length. All retained king salmon would be required to be electronically recorded or annually reported to the department.

WHAT ARE THE CURRENT REGULATIONS? There is no statewide annual limit for king salmon. Annual limits have been established for king salmon in specific areas of the state. Anglers are required to purchase a king salmon stamp to retain a king salmon and follow area- or drainage-specific sport fishing regulations (5 AAC 47–5 AAC 75). A harvest record is required for all anglers when harvesting a species with an annual limit, but this harvest record is not submitted to the department.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Anglers would be limited to five king salmon, 20 inches or greater in length or less annually, and would be required to record king salmon 20 inches or greater in length. It is unknown how many individuals harvest more than five king salmon 20 inches or greater in length, but it may reduce overall harvest of king salmon in areas where annual limits do not already exist. This may reduce harvest opportunity when surplus is available. Likely the largest impact will be for residents of Southeast Alaska where the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) directs the department to establish annual limits for nonresident anglers, but resident anglers do not have an annual limit.

BACKGROUND: This proposal is nearly identical to proposal 179 but is distinguished by specifying that the annual limit must be recorded electronically or annually reported to the department and requesting an annual limit of five fish rather than 10 fish, 20 inches or greater in length. Additional background is provided in proposal 179.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. King salmon are currently managed by area or drainage using existing management tools. The department uses emergency order authority to restrict and liberalize king salmon sport fisheries at the drainage and/or area level when appropriate. The addition of a statewide annual limit would add regulation complexity and may unnecessarily limit harvest opportunity in some instances. All anglers across the state would now need to record their harvest of king salmon over 20 inches. There may be confusion about how the proposed statewide annual limit interacts with various existing management plans or existing annual limits and may require additional board direction. The department is neutral on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal would result in additional direct cost for the department.

PROPOSAL 181 – 5 AAC 75.020. Sport fishing gear.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This would align regulation and statutory language by specifying that sport fishing gear must be held in hand or attached to a fishing pole or rod.

WHAT ARE THE CURRENT REGULATIONS? In Alaska Statute 16.05.940(31) the definition is as follows: “sport fishing” means the taking of or attempting to take for personal use, and not for sale or barter, any freshwater, marine, or anadromous fish by hook and line held in the hand, or by hook and line with the line attached to a pole or rod which is held in the hand or closely attended, or by other means defined by the Board of Fisheries. 5 AAC 75.020(a) specifies that sport fishing may only be conducted by the use of a closely attended single line having attached to it no more than one plug, one spoon, one spinner or series of spinners, two artificial flies, or two artificial flies or two hooks.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would align the regulation with statute and provide regulatory consistency and clarity.

BACKGROUND: Current language in 5 AAC 75.020(a) does not align with the statutory definition of sport fishing found in AS 16.05.940(31). This has caused confusion among the public and staff when asked to define legal sport fishing gear. In recent years, more questions have come from the public interested in fishing with a hook or lure that is directly attached to a line that is attached to a radio-controlled boat or drone and is not held in the hand or attached to fishing pole or rod. The current regulatory language (not the statutory language) is published in the sport fishing regulation summaries and implies that that activity would be legal under regulations but not statute.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. This would add clarity and align regulations with Alaska statute.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal would not result in additional direct cost for the department.

PROPOSAL 182 – 5 AAC 75.XXX. New Section.

PROPOSED BY: Paul Warta

WHAT WOULD THE PROPOSAL DO? This would establish bow and arrow as a legal sport fishing gear for species without bag and possession limits.

WHAT ARE THE CURRENT REGULATIONS? There are no statewide regulations allowing sport fishing with a bow and arrow. Bow fishing is not a legal sport fishing gear type in all areas of the state; area-specific regulations provide season dates and the addition of bow and arrow as a gear type for specific species.

In the Upper Copper River and Upper Susitna River Area (5 AAC 52.022.) whitefish and suckers may be harvested using a bow and arrow during their respective seasons October 1–March 31 and January 1–December 31. In the Yukon and Tanana drainages (5 AAC 73.030 and 74.030) bow and arrow fishing is allowed for burbot, northern pike, and suckers.

In the Anchorage Bowl Drainage (5 AAC 59.120) and West Cook Inlet (5 AAC 62.120), and in specific waters of the Knik Arm Drainages (5 AAC 60.122), bow and arrow fishing is allowed year-round for northern pike. Also in select waters of the Knik Arm Drainage, bow and arrow fishing is allowed for and Alaska blackfish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would allow harvest on many species that are traditionally not considered sport fish species and may increase harvest and mortality by an unknown, but likely small, amount.

BACKGROUND: Bow and arrow fishing regulations have historically provided opportunity on invasive or nonnative species, except in Upper Copper River, Upper Susitna, Yukon and Tanana drainages where it is a legal gear type for whitefish, suckers, and northern pike. Alaskan waters contain numerous species of fish which have no bag or possession limits and are not monitored by the department. The department has limited information on the popularity of bow and arrow fishing or potential increases in incidental mortality and harvest by allowing this gear type across the state. Limited information is available about many of these species, and it is not known if increased harvest is sustainable. Bow and arrow fishing may result in unintentional incidental harvest of nontargeted species and may increase mortality of targeted species if the fish is injured but not landed and this harvest method does not allow for live release.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because of the potential for increased harvest with limited monitoring and the increase in regulatory complexity. Although likely small, the biological impact of the harvest of a variety of species that have no bag or possession limit is unknown.

COST ANALYSIS: Approval of this proposal is expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal would not result in additional direct cost for the department.

PROPOSAL 183 – 5 AAC 75.XXX. New Section.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This would require anglers to maintain their harvest in a condition that allows the department or enforcement officer to verify species and length. Species that can be used as bait are exempt from this requirement.

WHAT ARE THE CURRENT REGULATIONS? Currently there are no sport fishing regulations that require an angler to keep their harvest in a condition that allows the department or enforcement officer to verify the species harvested or length requirements. The department may use emergency order authority to establish times and areas when anglers may not fillet, mutilate, or otherwise disfigure specific species of fish harvested in sport fisheries for the purpose of data collection.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would require anglers to keep rockfish, and other species which are challenging to identify, intact until they are prepared for human consumption or preserved. Species such as lingcod, which have a minimum length requirement in many areas, would have to be kept whole so that enforcement can verify length until the finfish has been processed or prepared for human consumption.

BACKGROUND: Many anglers prefer cleaning their harvest at sea; however, it is challenging for enforcement to identify and measure, and for the department to collect information necessary for management (e.g., age, sex, length, and the recovery of coded wire tags). Some freshwater species (e.g., king salmon) have minimum length requirements to be retained, and department representatives or enforcement officers can only verify the length if the catch is not mutilated or otherwise disfigured in a manner that would prevent determining the length of the species.

In Southeast Alaska an emergency order is issued annually to prohibit the filleting and deheading of select species during select times when the department is collecting biological data through the Southeast Alaska Marine Harvest Studies Project.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. This would aid enforcement efforts and standardize the requirements for anglers across the state.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal would not result in additional direct cost for the department.

PROPOSAL 184 – 5 AAC 75.995. Definitions

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This would modify the sport fish statewide definition of rockfish by adding reference to the rockfish species assemblages used in commercial fisheries and defined in 5 AAC 39.995. This modification recognizes that the nonpelagic rockfish species assemblage can be further subdivided into slope rockfish and demersal shelf rockfish species assemblages.

WHAT ARE THE CURRENT REGULATIONS? Sport fish statewide definitions currently reference 2 rockfish species assemblages, nonpelagic rockfish and pelagic rockfish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would align definitions of rockfish species assemblages across all fisheries but make no changes to sport fish management measures such as bag, possession, or annual limits for rockfish. Utilizing 3 species assemblages for rockfish enables more effective management by accounting for differences in species composition, life history characteristics, and fishery-specific harvest patterns.

BACKGROUND: As the sport fishery for rockfish has evolved over time, there is recognition that differential management measures for pelagic shelf, slope, and demersal shelf rockfish species may be appropriate in some areas to maximize opportunity while protecting the most vulnerable rockfish species. Historically, the department has managed rockfish as a single species group in the sport fishery and in some cases with different regulations for pelagic and nonpelagic rockfish. In Southeast Alaska, rockfish fisheries now utilize regulations for pelagic shelf, slope, and demersal shelf rockfish species assemblages.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. This proposal aligns the definition of rockfish species assemblages across all fisheries.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

COMMITTEE OF THE WHOLE—GROUP 2: COMMERCIAL FISHERIES (13 PROPOSALS)

GROUND FISH GEAR, CLOSED WATERS, AND FISHING PERIODS (12 PROPOSALS)

PROPOSAL 11 – 5 AAC 28.650. Closed waters in Bering Sea-Aleutian Islands.

PROPOSED BY: Linda Kozak.

WHAT WOULD THE PROPOSAL DO? This would amend closed waters for the Aleutian Islands District to close all waters of Alaska (0–3 nmi) west of long 170°W to commercial groundfish fishing with pelagic and nonpelagic trawl gear.

WHAT ARE THE CURRENT REGULATIONS? Trawl gear is a legal gear type for commercial groundfish fisheries inside state waters (0–3 nmi) of the Aleutian Islands District west of long 170°W. Several distinct commercial groundfish fisheries occur in this area; the state-managed Aleutian Islands Subdistrict (AIS) Pacific cod fishery and Aleutian Islands District parallel groundfish trawl fisheries that occur concurrent to the adjacent (3–200 nmi) federal fisheries. Parallel fisheries target multiple groundfish species using both pelagic and nonpelagic trawl gear (Figure 11-1). The AIS state-waters Pacific cod fishery is managed exclusively by the Alaska Department of Fish and Game (ADF&G) under the *Aleutian Islands Subdistrict Pacific Cod Management Plan* (5 AAC 28.647; Figure 11-2). The parallel fishery is managed by ADF&G, by adopting most federal management measures and inseason management actions (5 AAC 28.086).

At the beginning of each year, ADF&G issues an emergency order opening the parallel groundfish season in state waters to coincide with federal groundfish seasons in adjacent waters of the exclusive economic zone (EEZ; 3–200 nmi).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Closing state waters west of long 170°W to pelagic and nonpelagic trawl gear in 5 AAC 28.650 would eliminate commercial groundfish harvest opportunity for vessels using nonpelagic trawl gear in the AIS state-waters Pacific cod fishery and for vessels using pelagic and nonpelagic trawl gear in multiple parallel groundfish trawl fisheries west of long 170°W (Tables 11-1, 11-2, and 11-3). The *Aleutian Islands Subdistrict Pacific Cod Management Plan* (5 AAC 28.647) would need to be amended to remove nonpelagic trawl as a legal gear type, leaving pot, longline, and jig as legal gear types.

In total, state waters of the Aleutian Islands District west of long 170°W encompasses approximately 6,966 square miles although not all state waters are open to trawl fishing due to Steller sea lion (SSL) no fishing zones and habitat protection areas. Within the proposed state waters closures area, 391 square miles (6%) is open to fishing for Atka mackerel with nonpelagic trawl gear, 1,537 square miles (22%) is open to fishing for Pacific cod with nonpelagic trawl gear, 2,277 square miles (33%) is open to fishing for non-SSL prey species (species other than walleye

pollock/Atka mackerel/Pacific cod) with nonpelagic trawl gear, and 2,650 square miles (38%) is open to fishing for walleye pollock with pelagic trawl gear (Table 11-4, Figures 11-3, 11-4, 11-5, and 11-6). Closing state waters west of long 170°W to trawl gear would translate to a 100% reduction in available fishing area for the state-waters and parallel trawl fisheries. Current parallel groundfish trawl effort and catch would redistribute to adjacent federal waters.

Based on the language found in the proposal, the proponent seeks to close state waters west of long 170°W to trawl gear (pelagic and nonpelagic) citing concern over the spatial overlap between large catcher-processor groundfish trawl vessels operating inside state waters and golden king crab habitat relative to the directed Aleutian Islands golden king crab fishery (Figures 11-7 and 11-8). Closing state waters to trawl gear would reduce trawl bycatch of golden king crab inside state-waters (0–3 nmi) and reduce implied negative impacts of nonpelagic trawl gear to golden king crab seafloor habitat (Table 11-5). The degree to which prohibiting trawl gear inside state waters would benefit golden king crab stock health or habitat is difficult to assess and is largely unknown.

BACKGROUND: Three types of groundfish trawl fisheries (federal, parallel, and state waters) occur in waters of the Aleutian Islands District west of long 170°W.

- The federal fishery is managed exclusively by the National Marine Fisheries Service (NMFS) and prosecuted in federal waters (3–200 nmi). Harvest in this fishery is deducted from the federal total allowable catch (TAC) established for each species (e.g. Atka mackerel, Pacific Ocean perch, walleye pollock, Northern rockfish, Pacific cod, and several species of flounder).
- Concurrent to the federal fishery, the state opens parallel fisheries inside waters under state jurisdiction (0–3 nmi). The state adopts most federal rules and management actions inside state waters by emergency order during parallel fisheries. However, the Board of Fisheries (board) maintains authority to establish legal gear and other management provisions independent of federal regulations for all parallel fisheries. Harvests from parallel fisheries are deducted from the federal TACs established for each species (e.g. Atka mackerel, Pacific Ocean perch, walleye pollock, Northern rockfish, Pacific cod, and several species of flounder) and area.
- A separate state-waters fishery for Pacific cod only is also prosecuted from 0–3 nmi but is managed exclusively by the state according to board regulations. Harvest in this fishery is deducted from the state-waters guideline harvest level (GHL).

Trawl harvest of Pacific cod in the AIS state-waters fishery is largely confidential due to limited vessel and processor participation (Table 11-2). However, average annual trawl harvest from 2020 to 2025 AIS Pacific cod fisheries was 1,095,802 pounds, with an average of 4 vessels participating each year. Average fishery value of trawl-caught Pacific cod during these years was \$473,963. The 2025 season is ongoing with trawl harvest from two vessels as of August 15; harvest is confidential (Table 11-2).

Atka mackerel, Pacific Ocean perch, walleye pollock, Pacific cod, and several species of flounder dominate the federal and parallel trawl harvest by volume. Combined harvest of these species in state waters averaged less than 1% (1.81 million pounds) of the overall federal fishery catch from 2020 to 2025, with an average of 99% (243.1 million pounds) occurring in federal waters (Table 11-3). Trawl harvest of top species (by volume) occurred year-round from 2020 to 2025. Vessels

participating in Aleutian Islands trawl fisheries from 2020 to 2025 range in size from 58 feet to 295 feet in overall length, averaging 190 feet in length. Most vessels operate as large factory trawlers that catch and process at sea. Average exvessel value for these fisheries does not readily translate given the mixed participation and differing product lines from motherships, catcher-processors, and catcher-vessels.

The Aleutian Islands golden king crab fishery was rationalized prior to the 2005/06 season and the stock is comanaged by ADF&G and NMFS. Aleutian Islands golden king crab are considered a single stock but managed separately east and west of long 174°W, with separate TACs established for each area (Figure 11-7). Crab catcher-vessels use longline king crab pot gear with up to 80 pots per string and set multiple strings of pots that cover different depths across an extensive area. On average over the last five seasons, individual vessels fished 1,854 pots east of long 174°W and 1,947 pots west of long 174°W. Directed fishing for golden king crab takes place within a fixed nine-month regulatory season running August 1 through April 30 each year.

Directed fishery harvest of golden king crab inside state waters from 2020/21 to 2024/25 averaged 12.6% (696 thousand pounds) of the total annual directed catch while 87.4% (4.8 million pounds) of the total catch originated from federal waters (Table 11-6). An average of five vessels participated in the golden king crab fishery for the past five seasons. Recent average exvessel value of the Aleutian Islands golden king crab fishery was \$28.9 million (Table 11-6).

Reported bycatch of golden king crab inside state waters west of long 170°W by trawl gear vessels (based on ADF&G fish tickets) is generally low. From 2020 to 2025, an average of 66 golden king crab (1%) were annually reported as bycatch by trawl vessels operating inside state waters while the remaining 99% or 5,362 crab caught as bycatch were reported from vessels operating in federal waters (Table 11-5). Comparable federal data indicates a similar pattern of state/federal golden king crab trawl bycatch. Unobserved bycatch and mortality of golden king crab by trawl gear also occurs but is unquantified for king crab in the Aleutian Islands. No golden king crab were reported to be caught with trawl gear in the AIS state-waters Pacific cod fishery from 2020 to 2025.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional direct cost for the department.

Table 11-1.—Aleutian Islands Subdistrict (AIS) state-waters Pacific cod fishery commercial harvest by gear type, 2006–2024.

Year	Season	Longline ^a	Trawl ^a	Pot ^a	Jig ^a	Total ^a
2006	A season	CF	7,053,035	CF	0	8,502,781
	B season	76,462	0	274,952	0	351,414
2007	A season	0	6,998,224	1,231,707	0	8,229,931
	B season	CF	0	2,383,163	CF	3,409,070
2008	A season	CF	6,130,304	CF	0	7,477,507
	B season	362,410	0	3,786,710	92,572	4,241,692
2009	A season	CF	1,295,595	3,879,737	CF	5,537,886
	B season	CF	0	0	CF	CF
2010	A season	0	4,899,783	3,059,731	0	7,959,515
	B season	CF	0	CF	0	826,170
2011	A season	0	CF	CF	0	CF
	B season	CF	0	CF	0	CF
2012	A season	CF	5,983,213	CF	0	11,462,339
	B season	274,856	0	555,369	48,462	878,688
2013	A season	0	CF	CF	0	CF
	B season	CF	0	0	0	CF
2014	A season	0	CF	CF	0	CF
	B season	0	0	0	0	0
2015	A season	0	CF	0	0	CF
	B season	0	0	0	0	0
2016	^b	0	CF	0	0	CF
2017	^b	0	0	CF	0	CF
2018	^b	0	CF	CF	0	CF
2019	^b	0	CF	CF	0	13,664,555
2020	^b	CF	CF	11,650,833	0	14,907,703
2021	^b	0	CF	CF	0	14,777,163
2022	^b	0	CF	CF	0	CF
2023	^b	0	CF	CF	0	9,926,149
2024	^b	0	0	0	0	0

Note: CF = confidential.

^a In whole fish pounds.

^b In 2016, regulation changed to only one season for Aleutian Island Subdistrict state-waters Pacific cod.

Table 11-2.–Aleutian Islands Subdistrict state-waters Pacific cod fishery commercial harvest and value by trawl gear, 2020–2025.

Season	Vessels	Landings	Harvest ^a	Exvessel ^b	Fishery value ^c
2020	6	34	CF	CF	CF
2021	5	18	CF	CF	CF
2022	5	15	CF	CF	CF
2023	3	19	CF	CF	CF
2024	0	0	0	N/A	N/A
2025 ^d	2	7	CF	CF	CF
Average	4	16	1,095,802	\$0.35	\$473,963

Note: CF = confidential; N/A = not applicable.

^a Harvest in whole fish pounds.

^b Average initial price per pound of landed weight.

^c Fishery value based on landed weight and average initial price per pound.

^d Harvest through August 15, 2025.

Table 11-3.—Federal and parallel groundfish fishery commercial harvest by trawl gear in waters of Aleutian Islands District west of long 170°W, top five harvested species by weight, 2020–2025.

Year	Species	Vessels	Landings	State-waters harvest		Federal-waters harvest	
				Pounds	% State waters	Pounds	% Federal waters
2020	Atka mackerel	15	519	493,793	0.4%	133,655,641	99.6%
	Pacific Ocean perch	18	592	1,225,731	1.9%	64,681,575	98.1%
	Northern rockfish	15	512	36,282	0.2%	18,619,256	99.8%
	Kamchatka flounder	15	210	46,114	0.5%	10,126,285	99.5%
	Pacific cod	18	500	34,043	0.5%	7,137,897	99.5%
	Other ^a	18	603	580,353	2.6%	22,023,685	97.4%
	Total	18	623	2,416,315	0.9%	256,244,338	99.1%
2021	Atka mackerel	17	429	996,573	0.7%	136,612,965	99.3%
	Pacific Ocean perch	21	465	1,285,372	2.2%	56,329,334	97.8%
	Northern rockfish	17	397	45,005	0.3%	12,833,817	99.7%
	Kamchatka flounder	15	196	294,735	3.0%	9,590,423	97.0%
	Pacific cod	21	430	40,119	0.6%	6,471,080	99.4%
	Other ^a	21	495	515,882	2.9%	17,071,761	97.1%
	Total	21	520	3,177,686	1.3%	238,909,381	98.7%
2022	Atka mackerel	15	388	1,360,466	1.1%	125,260,951	98.9%
	Pacific Ocean perch	15	409	1,003,821	1.8%	55,963,917	98.2%
	Northern rockfish	15	352	46,010	0.3%	16,881,251	99.7%
	Kamchatka flounder	15	171	13,603	0.1%	12,748,931	99.9%
	Pacific cod	18	380	53,535	0.7%	7,237,112	99.3%
	Other ^a	18	433	206,964	1.0%	20,460,308	99.0%
	Total	18	448	2,684,399	1.1%	238,552,470	98.9%
2023	Atka mackerel	17	449	594,095	0.4%	140,686,561	99.6%
	Pacific Ocean perch	18	428	1,081,199	1.9%	56,355,344	98.1%
	Northern rockfish	17	388	152,215	0.7%	20,346,262	99.3%
	Kamchatka flounder	16	182	3,232	0.0%	10,343,058	100.0%
	Pacific cod	19	398	54,026	0.7%	7,551,363	99.3%
	Other ^a	19	498	166,024	0.6%	25,402,784	99.4%
	Total	19	509	2,050,792	0.8%	260,685,372	99.2%
2024	Atka mackerel	15	460	50,210	0.0%	156,768,273	100.0%
	Pacific Ocean perch	16	440	172,724	0.3%	59,912,023	99.7%
	Northern rockfish	15	388	2,482	0.0%	19,196,525	100.0%
	Arrowtooth flounder	16	261	350	0.0%	9,602,110	100.0%
	Walleye pollock	16	243	55,663	0.6%	8,840,973	99.4%
	Other ^a	16	525	4,137	0.0%	28,877,061	100.0%
	Total	16	526	285,565	0.1%	283,196,966	99.9%

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Table 11-3.–Page 2 of 2.

Year	Species	Vessels	Landings	State-waters harvest		Federal-waters harvest	
				Pounds	% State waters	Pounds	% Federal waters
2025 ^b	Atka mackerel	13	288	169,698	0.1%	118,792,937	99.9%
	Pacific Ocean perch	13	251	95,251	0.4%	22,569,700	99.6%
	Northern rockfish	13	244	626	0.0%	11,498,270	100.0%
	Pacific cod	13	245	3,098	0.0%	6,765,659	100.0%
	Walleye pollock	13	121	137	0.0%	5,991,893	100.0%
	Other ^a	13	276	4,540	0.0%	15,307,595	100.0%
Total		13	275	273,350	0.2%	180,926,055	99.8%
2020–2025 avg.		18	484	1,814,685	0.7%	243,085,764	99.3%

^a Combination of all other groundfish species.

^b Harvest through August 15, 2025.

Table 11-4.–Area of state-waters in Aleutian Islands District west of long 170°W open to trawl gear, by species.

Species	Aleutian Islands District West of 170° W. longitude	
	Area of state-waters open to trawl ^a	Percentage of total state-waters area
Atka mackerel	391	6%
Pacific cod	1,537	22 %
Walleye pollock	2,650	38%
Other ^b	2,277	33%

Note: Total area of state-waters in Aleutian Islands District west of 170° W. longitude is 6,966 square miles.

^a Calculation of area in square miles.

^b All federal non-SSL groundfish prey species.

Table 11-5.–Aleutian Islands District reported commercial harvest by ADF&G fish ticket of golden king crab by groundfish trawl gear in waters west of long 170°W, 2020–2025.

Year	Vessels	Landings	State waters harvest		Federal waters harvest	
			Number of crab	% State waters	Number of crab	% Federal waters
2020	14	38	0	0.0%	4,936	100.0%
2021	11	37	396	5.8%	6,447	94.2%
2022	8	31	0	0.0%	3,350	100.0%
2023	11	37	0	0.0%	4,841	100.0%
2024	8	36	1	0.0%	3,581	100.0%
2025 ^a	9	17	0	0.0%	9,015	100.0%
Average	10	33	66	1.0%	5,362	99.0%

^a Harvest through August 15, 2025.

Table 11-6.—Aleutian Islands golden king crab fishery commercial harvest and value in waters west of long 170°W, 2020/21–2024/25.

Season	Vessels	<u>State-waters harvest</u>			<u>Federal-waters harvest</u>			Exvessel ^a	Fishery value ^b
		Landings	Pounds	% State waters	Pounds	% Federal waters			
2020/21	5	85	869,549	13.5%	5,566,289	86.5%	\$4.53	\$28,708,105	
2021/22	5	88	785,704	13.5%	5,018,094	86.5%	\$5.14	\$29,411,056	
2022/23	5	76	660,991	13.1%	4,389,285	86.9%	\$6.02	\$30,025,042	
2023/24	5	93	717,674	13.0%	4,805,439	87.0%	\$5.03	\$27,385,204	
2024/25	4	70	445,529	9.1%	4,439,044	90.9%	\$6.03	\$28,967,909	
Average	5	82	695,889	12.6%	4,843,630	87.4%	\$5.35	\$28,899,463	

^a Average initial price per pound of sold weight.

^b Fishery value based on sold weight and average initial price

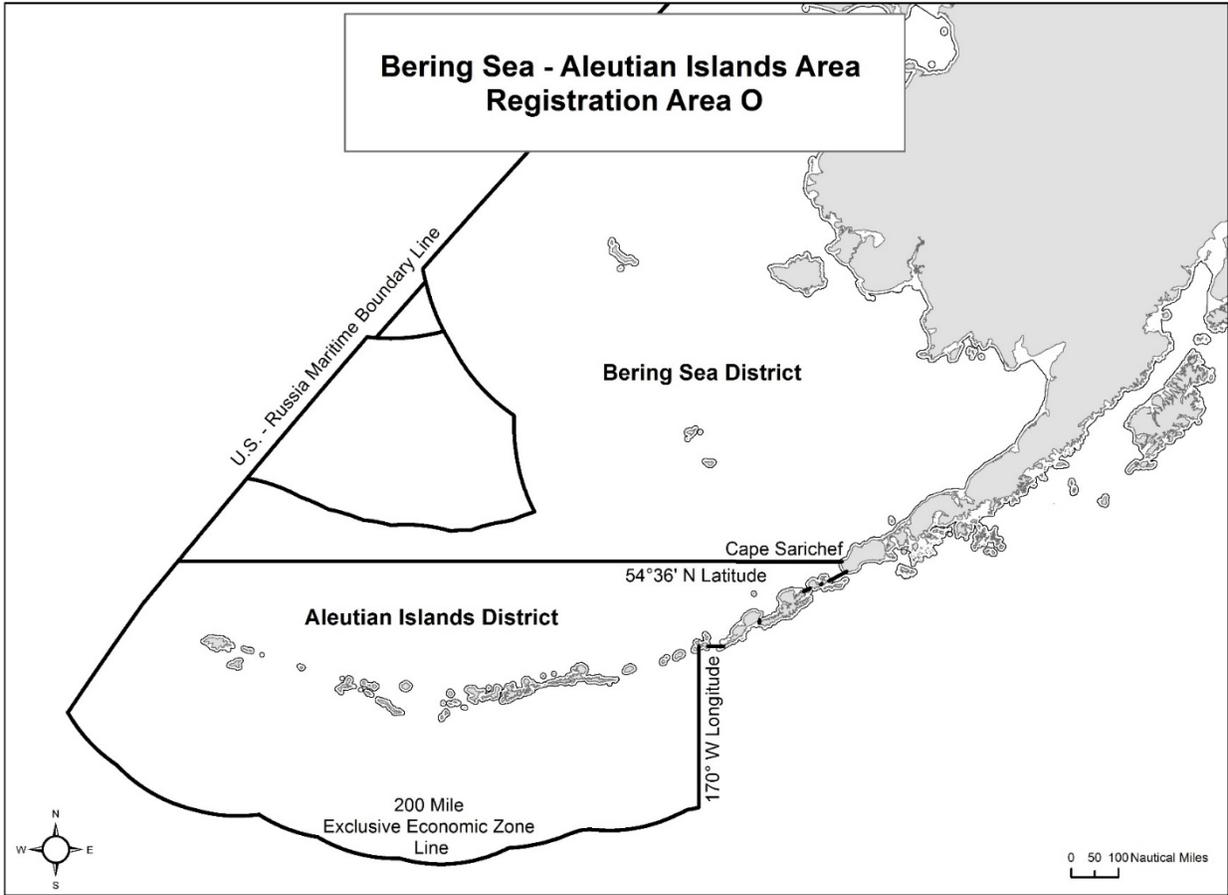


Figure 11-1.—Bering Sea-Aleutian Islands Groundfish Registration Area O.

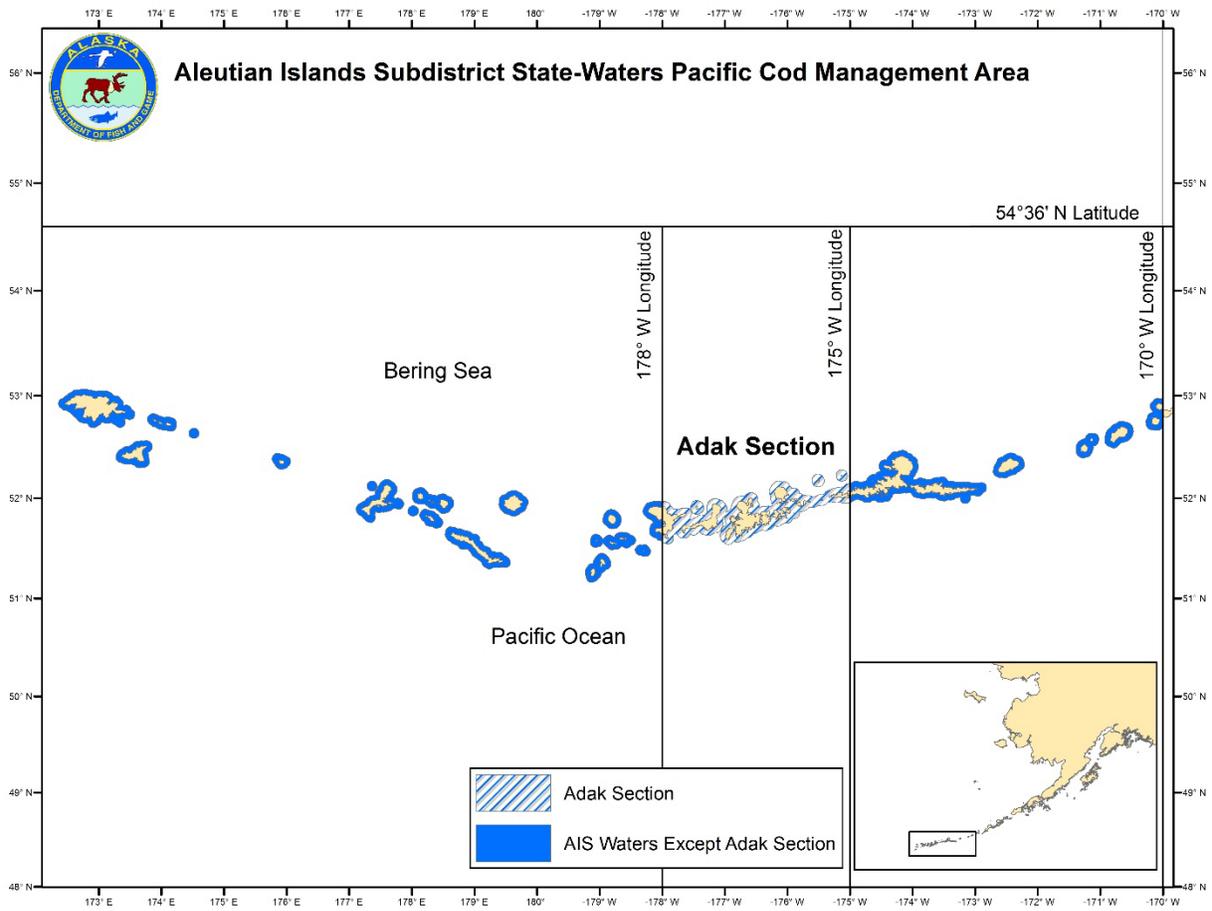


Figure 11-2.—Aleutian Islands Subdistrict state-waters Pacific cod fishery management area.

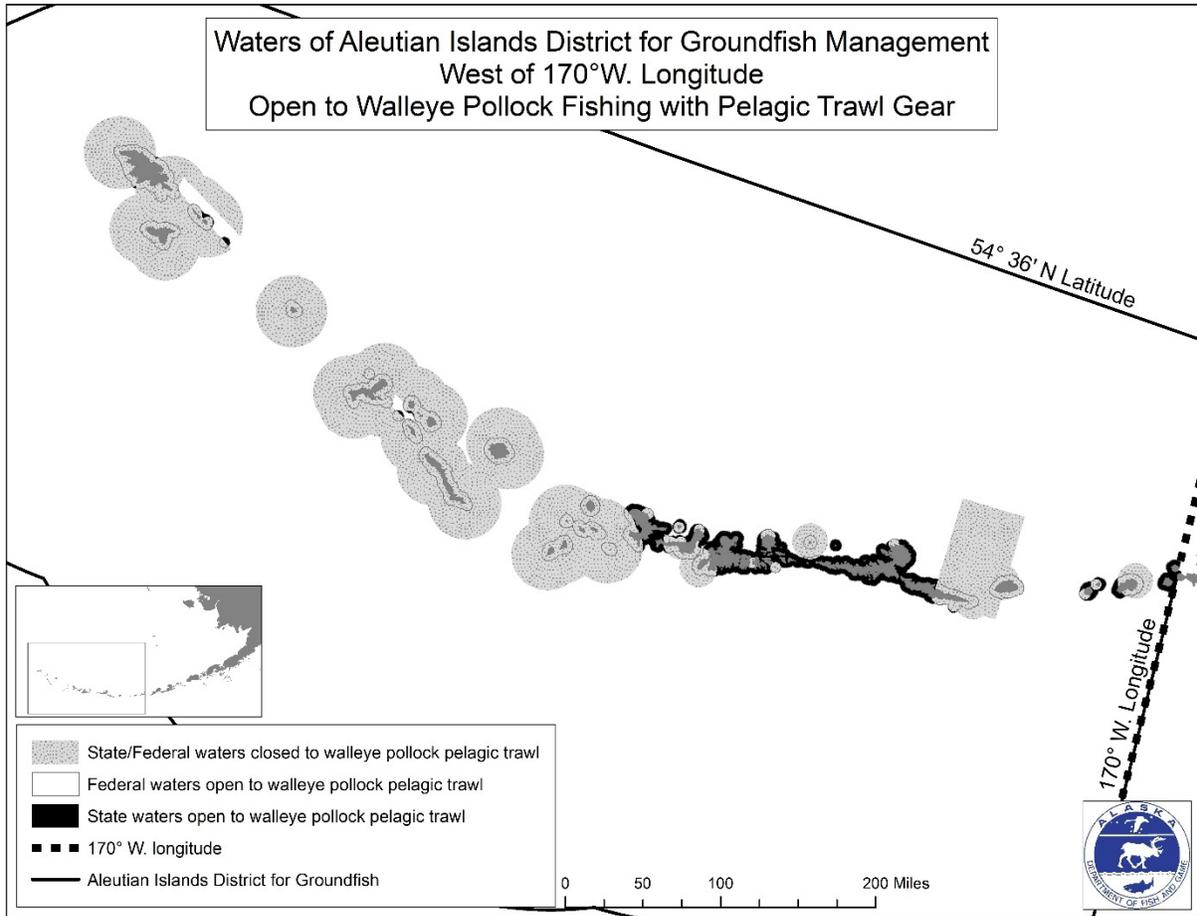


Figure 11-3.—Aleutian Islands District for groundfish management west of long 170°W open to commercial walleye pollock fishing with pelagic trawl gear.

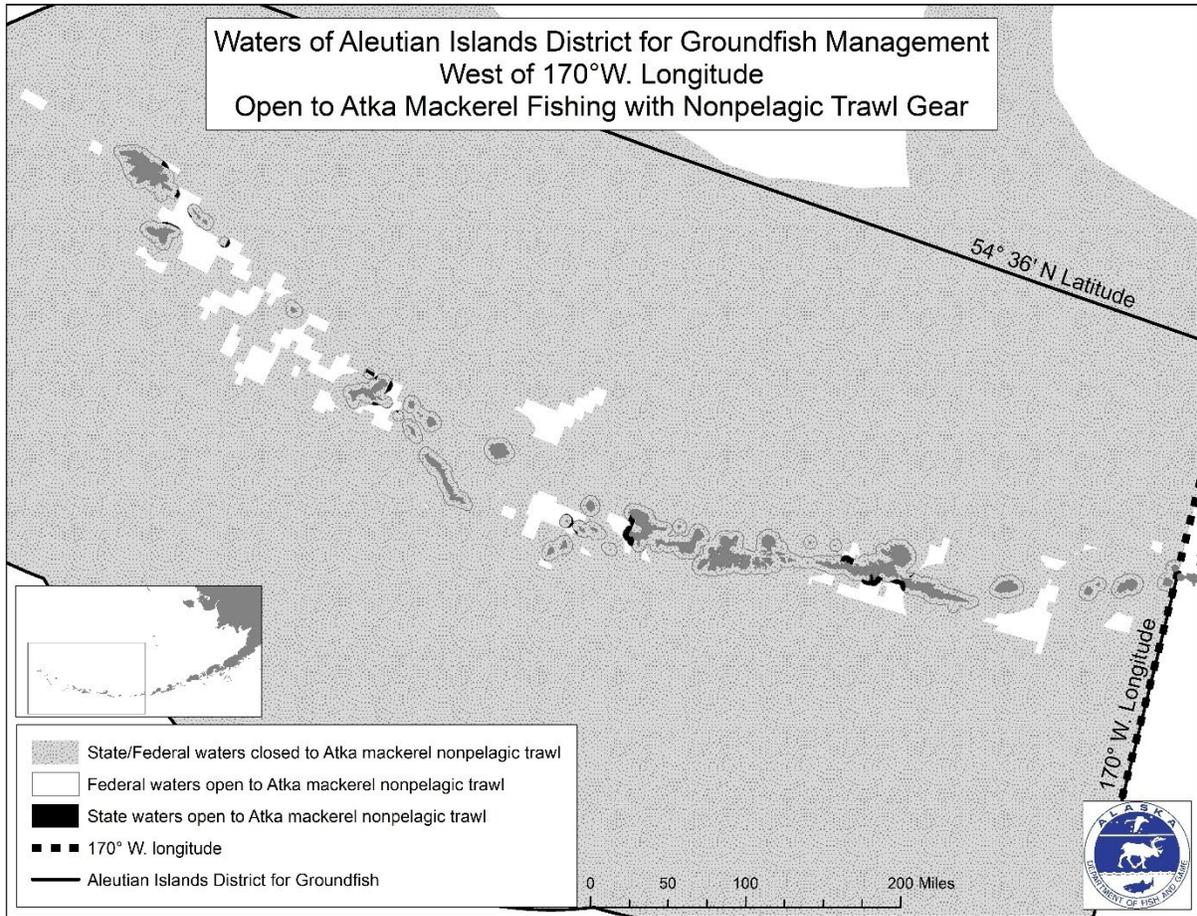


Figure 11-4.—Aleutian Islands District for groundfish management west of long 170°W open to commercial Atka mackerel fishing with nonpelagic trawl gear.

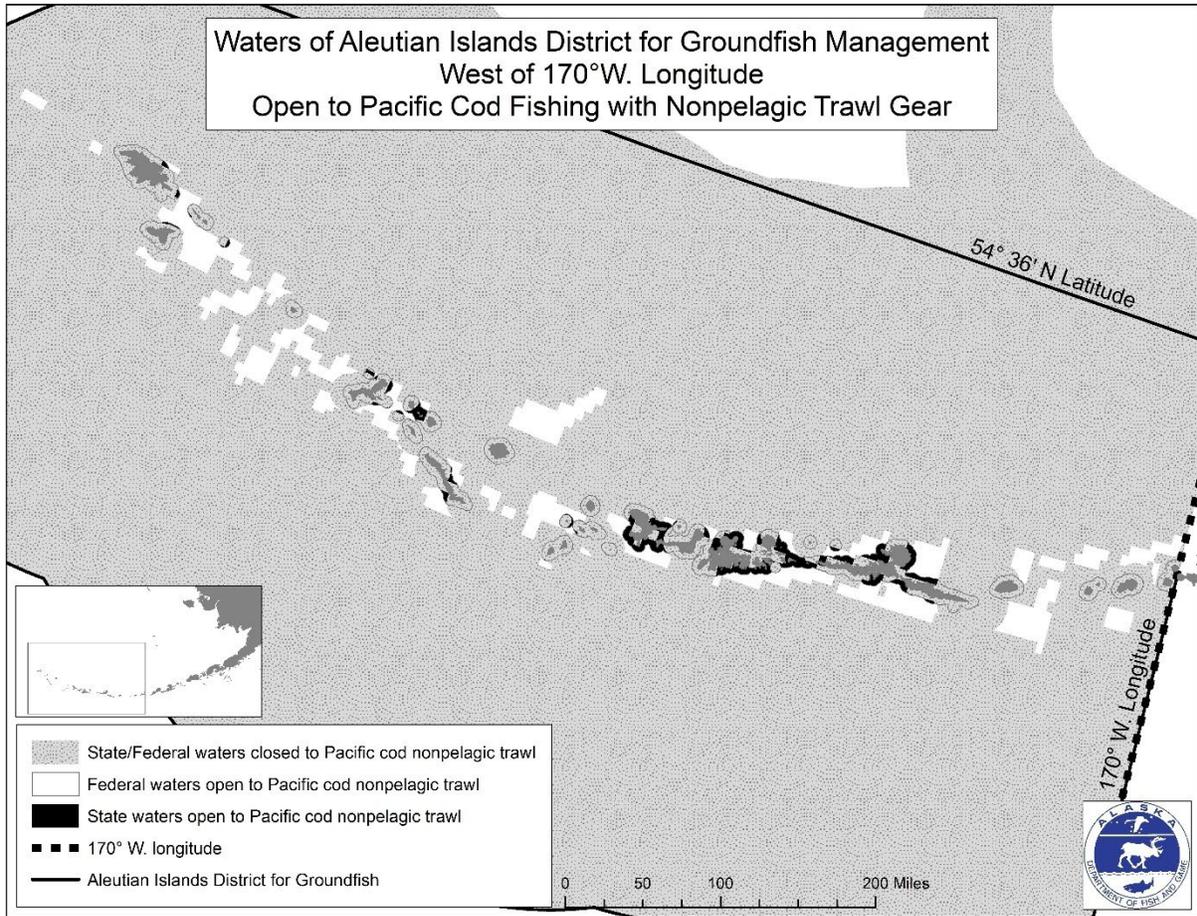


Figure 11-5.—Aleutian Islands District for groundfish management west of long 170°W open to commercial Pacific cod fishing with nonpelagic trawl gear.

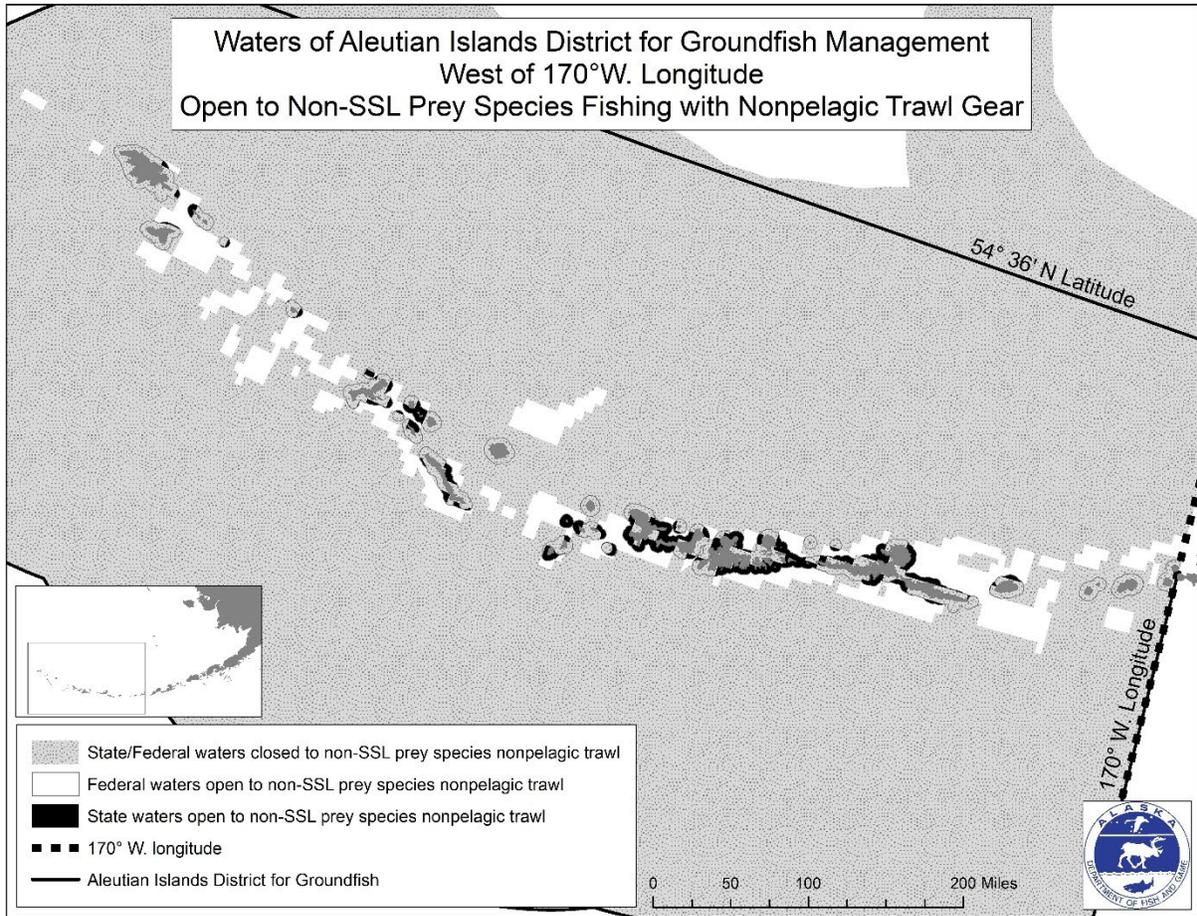


Figure 11-6.—Aleutian Islands District for groundfish management west of long 170°W open to commercial non-SSL prey species (species other than walleye pollock/Atka mackerel/Pacific cod) fishing with nonpelagic trawl gear.

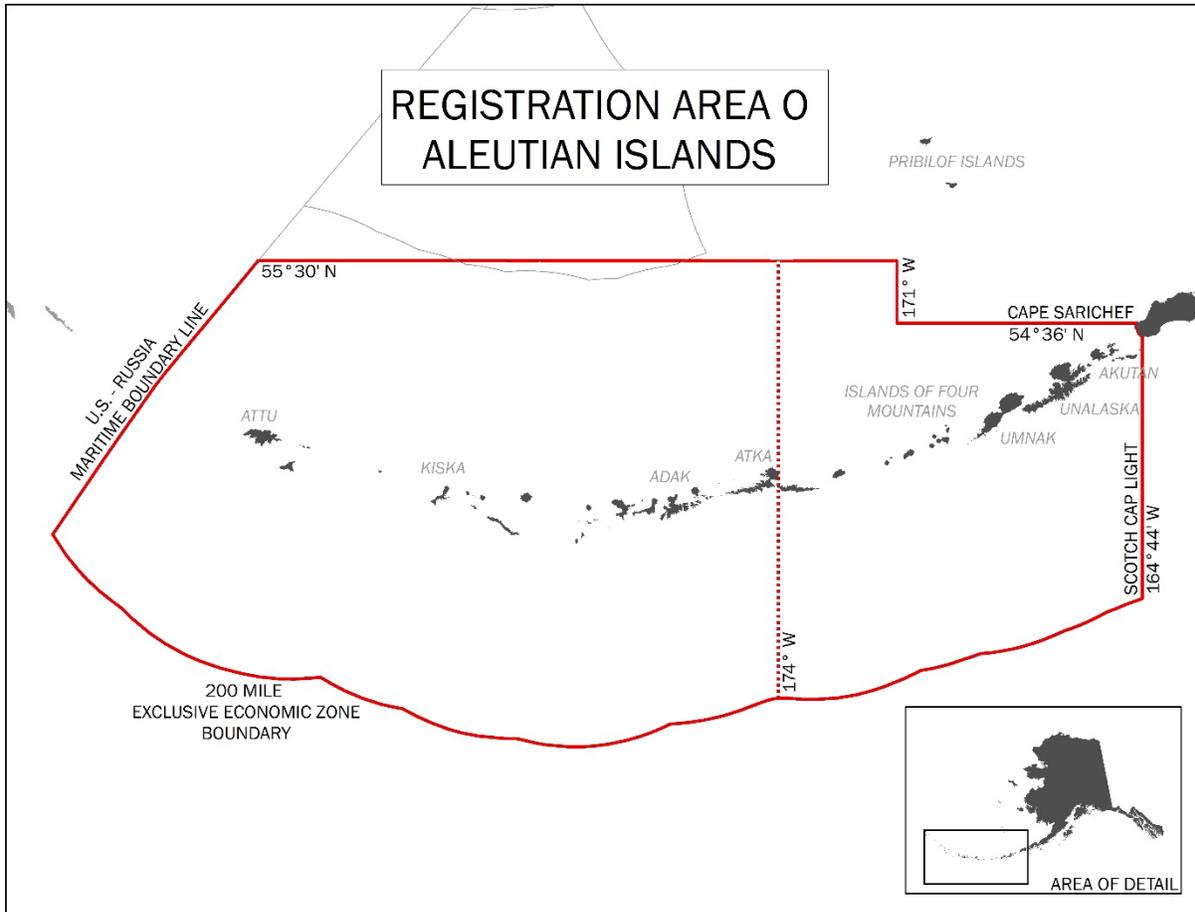


Figure 11-7.—King Crab Registration Area O—Aleutian Islands.

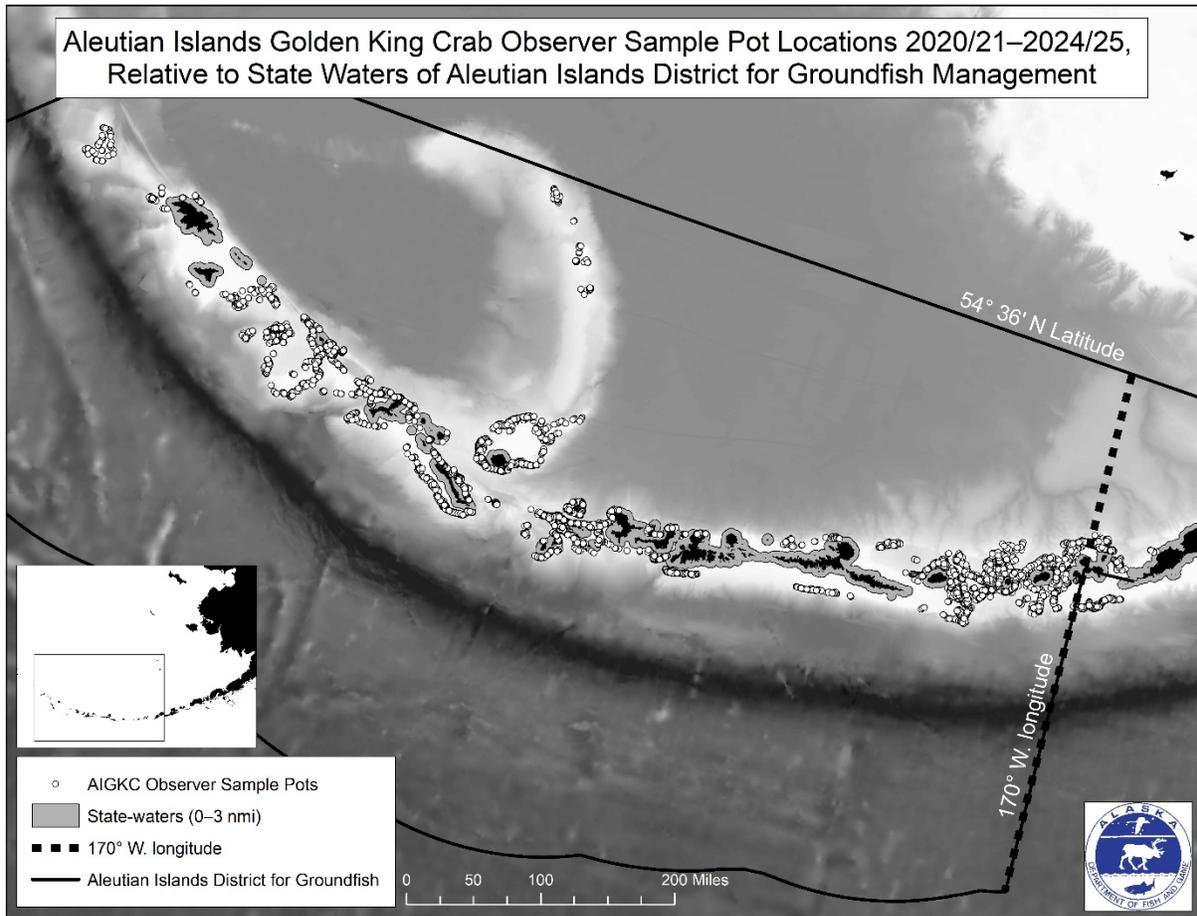


Figure 11-8.—Aleutian Islands golden king crab observer sample pot locations 2020/21–2024/25, relative to state-waters of Aleutian Islands District for groundfish management west of long 170°W.

PROPOSAL 163 – 5 AAC 39.105. Types of legal gear.

PROPOSED BY: The Alaska Healthy Habitat Alliance.

WHAT WOULD THE PROPOSAL DO? This would define all commercial trawl gear operated inside state waters (0–3 nmi) as non-pelagic (bottom trawl) gear regardless of trawl configuration or operation and develop new monitoring and performance standards to allow pelagic trawling (midwater) to occur inside state waters on a case-by-case basis.

WHAT ARE THE CURRENT REGULATIONS? In state regulation pelagic trawl gear is defined as: *a trawl where the net, or the trawl doors or other trawl-spreading device, do not operate in contact with the seabed, and which does not have attached to it any protective device, such as chafing gear, rollers, or bobbins, that would make it suitable for fishing in contact with the seabed (5 AAC 39.105(d)(10)(C)).* There is no regulatory definition for non-pelagic trawl gear in state regulation.

Within state regulation trawl gear is regulated not by how the gear is operated, but by how it is configured. Non-pelagic trawl gear is configured in such a way that would make it suitable for fishing in contact with the seabed while pelagic trawl gear may not include reinforcements to protect the net from seabed contact. If a trawl net does not include these reinforcements, it is considered pelagic gear, regardless of whether it is operated in contact with the seabed or only within the water column.

In the Gulf of Alaska (GOA) east of Kodiak (i.e., Cook Inlet, Prince William Sound, and Southeast Alaska Areas), groundfish trawl gear is generally prohibited in state waters, with few notable exceptions. In the Gulf of Alaska west of Kodiak (i.e., Kodiak, Chignik, and South Alaska Peninsula Areas), most state waters are closed to non-pelagic trawl gear, but pelagic trawl gear may be used. The Bering Sea-Aleutian Islands Area is a vast area with multiple fisheries targeting groundfish species using both pelagic and nonpelagic trawl gear within state waters amid a complex framework of gear and species-specific closure areas.

Two state-managed groundfish trawl gear fisheries occur exclusively in state waters: the Aleutian Islands District state-waters Pacific cod fishery and the Prince William Sound pollock pelagic trawl fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The effects of this proposal are largely unknown due to the broad scope and lack of detail provided in the proposal. In general, outcomes will predominantly depend on 1) the efficacy of a yet undefined state-waters trawl monitoring program, 2) the type and amount of state waters trawl effort by fishery and area, and 3) presumption that current trawl effort inside state waters has negative impacts on near-shore marine habitats and species assemblages that would be mitigated by the proposed monitoring and compliance program.

Based on the department’s interpretation, this proposal would eliminate pelagic trawl gear as a legal gear type in state regulation. In areas closed to non-pelagic trawl gear but open to pelagic trawl gear, only trawl vessels that conform to the proposed monitoring and performance standards

would be eligible to receive a waiver from the department to operate pelagic trawl gear in state (BSAI) waters historically open to pelagic trawl gear. State waters of the Bering Sea-Aleutian Islands Area are open concurrently to both pelagic and non-pelagic trawl gear with some exceptions. Requiring trawl gear vessels to obtain a department waiver and carry additional net monitoring equipment to ensure trawl gear does not contact the sea floor while fishing in state waters that also are open non-pelagic trawling has no utility unless all BSAI state waters are closed to non-pelagic trawl gear. Thus, this proposal is most applicable to state waters only open to pelagic trawl gear. These fisheries include predominantly parallel pollock fisheries in the Kodiak, Chignik, and South Alaska Peninsula Areas and the Prince William Sound state-waters pelagic trawl pollock fishery.

Establishing a program aimed at minimizing sea floor contact by pelagic trawl gear may reduce bycatch of non-target species such as crab and further protect near shore benthic habitat already closed to non-pelagic trawling. Should the proposed trawl monitoring program result in added costs and/or operational inefficiencies for trawl participants, vessels may opt out of fishing inside state waters altogether resulting in an obligation for the department to administer a program with high workload and budgetary burden that yields limited conservation or management benefit.

BACKGROUND: Three types of groundfish trawl gear fisheries (federal, parallel, and state waters) occur in waters of Alaska.

- Federal trawl gear fisheries are managed exclusively by the National Marine Fisheries Service (NMFS) and prosecuted in federal waters (3–200 nmi). Harvests from federal fisheries are deducted from a federal total allowable catch (TAC) established for each species (e.g. Atka mackerel, Pacific Ocean perch, walleye pollock, Northern rockfish, Pacific cod, and several species of flounder) and management area.
- Concurrent to federal trawl gear fisheries, the state opens parallel trawl gear fisheries inside waters under state jurisdiction (0–3 nmi). In areas where parallel fisheries occur, the state adopts most federal rules and management actions inside state waters by emergency order. However, the Board of Fisheries (board) maintains authority to establish legal gear and other management provisions independent of federal regulations for all parallel fisheries. Harvests from parallel fisheries accrue against the federal TACs established for each species and area.
- Separate state-waters trawl fisheries also occur from 0–3 nmi but are managed exclusively by the state according to board regulations. Harvests from state-waters fisheries are deducted from fishery specific state-waters guideline harvest levels (GHL).

In the Kodiak, Chignik, South Alaska Peninsula Areas pelagic trawl gear is used to target walleye pollock during parallel groundfish fisheries. In the Bering Sea and Aleutian Islands Areas, both pelagic and non-pelagic trawl gear are used to target multiple species (e.g., Atka mackerel, Pacific Ocean perch, Walleye pollock, Northern rockfish, Pacific cod, and several species of flounder) during parallel groundfish fisheries.

Other areas of Alaska (e.g., Cook Inlet, Prince William Sound, Southeast Alaska, etc.) do not allow for parallel groundfish fisheries and therefore no trawl gear vessels operate inside state waters, except during the Prince William Sound state-waters pollock fishery.

In general, parallel groundfish regulations are designed to provide for regulatory and management consistency across the three nautical mile line that separates state and federal waters. With some exceptions, a pelagic trawl vessel targeting pollock in a federal fishery can simultaneously participate in the adjacent parallel fishery. Given past efforts to provide for uniformity across federal/parallel fisheries, establishing unique monitoring and bycatch performance standards at the state/federal boundary would create inefficiencies for pollock fleets and present management and compliance challenges for enforcement.

Across regions where trawl gear is permitted to target groundfish inside state waters, the magnitude of trawl harvest is low inside state waters compared to adjacent federal waters. For the five groundfish species most frequently retained by trawl gear vessels in the Aleutian Islands, less than 1% of total trawl catch was reported from inside state waters (see Proposal 11, Table 11-3). Similarly, less than 1% of total catch by weight of the five groundfish species most frequently retained by trawl gear vessels are harvested from state waters of the Bering Sea (Table 163-1). Trawl effort and harvest inside state waters is highest in the GOA where the department annually opens parallel pelagic trawl pollock fisheries in the Central (Kodiak and Chignik Areas) and Western GOA (South Alaska Peninsula; Area M). From 2021–2025, approximately 7% of the total Central GOA and 25% of the total Western GOA pollock catch occurred in state waters (Table 163-2).

The North Pacific Fishery Management Council (Council) recommended a revised pelagic trawl gear definition in June 2025 that reflects modern gear configurations the fleet has developed in response to conservation and management objectives, including the required use of salmon bycatch excluder devices in Bering Sea pollock fisheries. Updated federal regulations are expected to be implemented during 2026 or 2027.

The Council is currently considering methods for incentivizing pelagic trawl gear innovation, pending ongoing research to better understand pelagic trawl gear interactions with the seafloor crab and crab habitat. In 2026, Council intends to develop options to revise the performance standard for pelagic trawl gear operations in federal fisheries based on gear research outcomes and updated seafloor contact estimates in the Fishing Effects Model.¹ The Fishing Effects Model is a decision-support tool used to help assess whether adverse effects from fishing are occurring on essential fish habitats (EFH) in Alaska. The pollock industry is currently undertaking a research project that includes cataloging all pelagic net configurations, a fishing practices survey to understand how different nets are deployed given different fishing conditions, and both field studies and model simulations to measure seafloor contact. The Council is scheduled to receive an update of this research in June 2026.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. Given the lack of specific detail, the proposed intent is unactionable by the department. Developing a trawl monitoring and performance compliance program exclusive to state waters will likely yield limited benefit and utility relative to costs. The department recommends coordinating efforts to address trawl effects across federal/parallel fisheries with the Council, NMFS, fishery stakeholders, and state/federal fisheries law enforcement agencies prior to adopting this proposal.

¹ Fishing Effects model infographic <https://meetings.npfmc.org/CommentReview/DownloadFile?p=9babbfld-b8cd-44ba-89cb-70540a2ffab9.pdf&fileName=C3%20DRAFT%20Fishing%20Effects%20Model%20Infographic.pdf>

COST ANALYSIS: Approval of this proposal will result in additional direct costs for a private person to participate in this fishery if additional monitoring, sensors, or other gear compliance verification systems are required.

Approval of this proposal will result in substantial additional direct costs for the department to develop and administer a trawl gear monitoring and compliance program. Cost estimates are unavailable at this time and will depend on the final scope of the new program. As proposed, funding in excess of what is currently available to the department will be necessary and costs could be duplicative of current and ongoing federal efforts towards addressing similar goals.

Table 163-1.—Average (2021–2025) harvest of the top five groundfish species retained by weight from trawl gear vessels during federal and parallel groundfish fisheries in the Bering Sea.

Species	Vessels	Landings	Total harvest (pounds)	State-waters harvest		Federal-waters harvest	
				Pounds	% of total	Pounds	% of total
Walleye pollock	92	1,556	1,531,393,313	1,130,097	0.07	1,530,715,254	99.96
Yellowfin sole	39	301	69,279,557	0	0.00	69,279,557	100.00
Pacific Ocean perch	66	417	17,651,851	2,964	0.02	17,651,259	100.00
Flathead sole	90	1,173	10,174,346	4,376	0.04	10,172,596	99.98
Pacific cod	91	1,287	10,050,739	1,249	0.01	10,050,239	100.00
Average	76	947	327,709,961	227,737	0.03	327,573,780	99.99

Table 163-2.—Walleye pollock harvest from pelagic trawl gear vessels during federal and parallel groundfish fisheries in the Central and Western Gulf of Alaska Areas, 2021–2025.

Management area	Vessels	Landings	Total harvest (pounds)	State-waters harvest		Federal-waters harvest	
				Pounds	% of total	Pounds	% of total
CGOA (Kodiak and Chignik)	46	1,038	210,978,022	13,943,814	6.61	197,034,208	93.39
WGOA (South Alaska Peninsula)	31	385	49,364,351	12,104,460	24.52	37,259,891	75.48

PROPOSAL 164 – 5 AAC 39.105. Types of legal gear.

PROPOSED BY: The Alaska Healthy Habitat Alliance.

WHAT WOULD THE PROPOSAL DO? This would establish a state waters compliance verification program to confirm pelagic trawl gear is not in contact with the seafloor. The department interprets the intent of this proposal is identical to the intent of Proposal 163 with the distinction this proposal would only apply to state waters currently open to pollock fishing using pelagic trawl gear. These fisheries predominately include parallel pollock fisheries in the Kodiak, Chignik, and South Alaska Peninsula Areas and the Prince William Sound state-waters pelagic trawl pollock fishery.

WHAT ARE THE CURRENT REGULATIONS? See Proposal 163.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? See Proposal 163.

BACKGROUND: See Proposal 163.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. Given the lack of specific detail, the proposed intent is unactionable by the department. Developing a trawl monitoring and performance compliance program exclusive to state waters will likely yield limited benefit and utility relative to costs. The department recommends coordinating efforts to address trawl effects across federal/parallel fisheries with the North Pacific Fishery Management Council, NMFS, fishery stakeholders, and state/federal fisheries law enforcement agencies prior to adopting this proposal. The department is working closely with NMFS, the trawl industry, and the NPFMC to evaluate measures to reduce impacts to bottom habitats by trawl gear.

COST ANALYSIS: Approval of this proposal will result in an additional direct cost for a private person to participate in this fishery if gear modification or additional monitoring, sensors, or other gear compliance verification systems are required.

Approval of this proposal will result in substantial additional direct costs for the department to develop and administer a trawl gear monitoring and compliance program. Cost estimates are unavailable at this time and will depend on the final scope of the new program. As proposed, funding in excess of what is currently available to the department will be necessary and costs could be duplicative of current and ongoing federal efforts towards addressing similar goals.

PROPOSAL 165 – 5 AAC 39.105. Types of legal gear.

PROPOSED BY: The Alaska Healthy Habitat Alliance.

WHAT WOULD THE PROPOSAL DO? This would establish salmon excluder requirements for all pelagic trawl (midwater trawl) gear operated inside state waters.

WHAT ARE THE CURRENT REGULATIONS? In state regulation pelagic trawl gear is defined as: *a trawl where the net, or the trawl doors or other trawl-spreading device, do not operate in contact with the seabed, and which does not have attached to it any protective device, such as chafing gear, rollers, or bobbins, that would make it suitable for fishing in contact with the seabed* (5 AAC 39.105(d)(10)(C)).

State waters currently open to pelagic trawl gear include parallel pollock fisheries in the Bering Sea–Aleutian Islands (BSAI), Kodiak, Chignik, and South Alaska Peninsula Areas and the Prince William Sound state-waters pelagic trawl pollock fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The effects of this proposal are largely unknown and likely variable over time. In general, outcomes will predominantly depend on 1) the efficacy of salmon excluders to reduce bycatch, 2) the amount of state-waters trawl effort by fishery and area after an excluder requirement is adopted, and 3) conditions beyond regulatory control such as the abundance and distribution of salmon susceptible to pollock trawl bycatch.

Requiring use of salmon excluders may reduce salmon bycatch in some areas over time. Pelagic trawl effort and harvest inside state waters is highest in the Gulf of Alaska (GOA) where the department annually opens parallel pelagic trawl pollock fisheries in the Central GOA (Kodiak and Chignik Areas) and Western GOA (South Alaska Peninsula; Area M). From 2021-2025, approximately 7% of the total Central GOA and 25% of the total Western GOA pollock catch occurred in state waters (Table 165-1). The timing, location, and magnitude of salmon bycatch during pollock fisheries is highly variable and challenging to quantify at small spatial scales (i.e., state waters, 0–3 mi from shore). Given the low overall proportion of pollock catch and effort inside state waters, it is unknown if salmon bycatch savings from the proposed excluder requirement would benefit conservation of salmon stocks.

Should salmon excluders result in added costs or operational inefficiencies for trawl participants, vessels may opt out of fishing inside state waters altogether resulting in added costs and regulatory burden that has limited benefit. Redistributing trawl effort out of state waters could reduce flexibility for some pollock vessels to find and target areas with clean fishing.

BACKGROUND: Three types of groundfish pelagic trawl gear fisheries (federal, parallel, and state waters) occur in waters of Alaska.

- Federal trawl gear fisheries are managed exclusively by the National Marine Fisheries Service (NMFS) and prosecuted in federal waters (3–200 nmi). Harvests from federal

fisheries are deducted from a federal total allowable catch (TAC) established for each species (typically walleye pollock and rockfish species) and management area.

- Concurrent to federal trawl gear fisheries, the state opens parallel trawl gear fisheries inside waters under state jurisdiction (0–3 nmi). The state adopts most federal rules and management actions inside state waters by emergency order during parallel fisheries. . However, the Board of Fisheries (board) maintains authority to establish legal gear and other management provisions independent of federal regulations for all parallel fisheries. Harvests from parallel fisheries accrue against the federal TACs established for each species and area. This regulation if adopted would require federally permitted fishermen who operate in parallel fisheries to have salmon excluders while fishing in state waters.
- Separate state-waters trawl fisheries also occur from 0–3 nmi but are managed exclusively by the state according to board regulations. Harvests from state-waters fisheries are deducted from fishery specific state-waters guideline harvest levels (GHL).

In Kodiak, Chignik, and South Alaska Peninsula Areas pelagic trawl gear is used to target walleye pollock during parallel groundfish fisheries. In the BSAI Area, both pelagic and non-pelagic trawl gear are used to target multiple species (e.g., Atka mackerel, Pacific Ocean perch, walleye pollock, Northern rockfish, Pacific cod, and several species of flounder) during parallel groundfish fisheries. Other areas of Alaska (e.g., Cook Inlet, Prince William Sounds, Southeast Alaska, etc.) do not allow for parallel groundfish fisheries and therefore do not have federal trawl vessels operating inside state waters.

In general, parallel groundfish regulations are designed to provide for regulatory and management consistency across the 3 nautical mile line that separates state and federal waters. With some exceptions, a pelagic trawl vessel targeting pollock in a federal fishery can simultaneously participate in the adjacent parallel fishery. Given past efforts to provide for uniformity across federal/parallel fisheries, establishing unique gear configurations and bycatch performance standards at the state/federal boundary would create inefficiencies for pollock fleets and present management and compliance challenges for enforcement.

Addressing salmon bycatch is a priority for the North Pacific Fishery Management Council (Council). Under federal rules, salmon are categorized as prohibited species catch (PSC) during pollock and other groundfish fisheries and bycatch caps for Chinook salmon are established for the Bering Sea pollock trawl fishery and for all pollock and non-pollock trawl fisheries in the GOA. In both the pollock and non-pollock trawl fisheries, vessels are required to retain all salmon caught as bycatch. Certified observers perform a census count of salmon for all Bering Sea pollock trawl deliveries and for trawl deliveries in the GOA selected for observer coverage. Other advancements towards reducing salmon bycatch in the pollock fishery include collection of genetic samples to help identify the origin of impacted salmon stocks, ongoing efforts to design and test salmon excluder devices, real time hot spot reporting to avoid areas with high incidental salmon catch, and other regulatory incentives to minimize salmon bycatch.

While parallel regulations do not require pollock vessels to possess federal fishing permits to participate in parallel pollock fisheries, all parallel fishery participants also hold federal permits with rare exceptions. As a result, federally permitted vessels fishing in parallel pollock fisheries

are subject to federal observer requirements and salmon bycatch during parallel pollock fisheries are enumerated consistent with the adjacent federal catch and accrue against federal salmon PSC limits, that if exceeded, close the fishery subject to the limit.

The department currently has emergency order authority (5 AAC 28.086) to adopt advancements in gear design or other bycatch avoidance measures developed for federal fisheries into parallel fishery regulations. Thus, ongoing efforts to develop and regulate use of salmon excluders in the federal fisheries are also part of parallel fishery management independent of this proposal. Exploration of salmon excluder requirements for the independently state-managed Prince William Sound (PWS) pollock fishery is better suited for consideration and stakeholder engagement during a PWS specific finfish meeting.

DEPARTMENT COMMENTS: As written, the department is **OPPOSED** to this proposal. Although the department is committed to responsive bycatch management during all groundfish fisheries, the proposed intent of this proposal is unactionable by the department at this time and will require an iterative process to advance development of salmon excluders specific to trawling inside state waters. The department recommends further coordination across Council, NMFS, state, and federal fishery stakeholders, and state/federal fisheries law enforcement agencies prior to adopting this proposal.

COST ANALYSIS: Approval of this proposal will result in an additional direct cost for a private person to participate in this fishery if gear modification or additional monitoring, sensors, or other gear compliance verification systems are required.

Approval of this proposal will result in an additional direct cost for the department to develop, administer, and maintain the proposed gear compliance monitoring program. Cost estimates to develop and maintain the proposed program are unavailable but expected to require appropriations beyond what are currently available to the department and costs could be duplicative of current and ongoing state, federal, and industry efforts towards addressing similar goals.

Table 165-1.–Walleye pollock commercial harvest from pelagic trawl gear vessels during federal and parallel groundfish fisheries in the Central and Western Gulf of Alaska Areas, 2021–2025.

Management area	Vessels	Landings	Total harvest (pounds)	State-waters harvest		Federal-waters harvest	
				Pounds	% of total	Pounds	% of total
CGOA (Kodiak and Chignik)	46	1,038	210,978,022	13,943,814	6.61	197,034,208	93.39
WGOA (South Alaska Peninsula)	31	385	49,364,351	12,104,460	24.52	37,259,891	75.48

PROPOSAL 166 – 5 AAC 39.105. Types of legal gear.

PROPOSED BY: David Kubiak.

WHAT WOULD THE PROPOSAL DO? This would amend statewide definition of a mechanical jigging machine (jig gear) to include maximum permissible reel dimensions of no more than 15 inches in diameter and no more than seven inches wide.

WHAT ARE THE CURRENT REGULATIONS? Current regulations do not define or restrict reel size for mechanical jigging machines. A mechanical jigging machine is defined in regulation as: *a mechanical jigging machine is a device that deploys a line with lures or baited hooks and retrieves that line with electrical, hydraulic, or mechanically powered assistance; a mechanical jigging machine allows the line to be fished only in the water column; a mechanical jigging machine must be attached to a vessel registered to fish with a mechanical jigging machine; the mechanical jigging machine may not be anchored or operated unattached from the vessel (5 AAC 39.105(d)(25)).*

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Commercial vessel operators would be prohibited from using groundfish gear configured as a reel or drum that exceeds the proposed reel size during a commercial jig gear fishery. Based on conversations with the proposal author, it is the department's understanding the proposed maximum dimension of a jig machine reel (15 in × 7 in) is meant to be large enough accommodate continued use of all current commercially available jig machines, but small enough to exclude longline or net reels. The department interprets this proposal as a companion to Proposal 167 which seeks to restrict vessels to only carrying jig gear on board while participating in state-managed groundfish jig gear fishery. Fishery participants indicate some vessel operators may use longline reels as jig machines and adding a maximum reel size definition for jig gear would end this practice and aid enforcement in cases where uncertainty exists on which gear type was used to harvest Pacific cod during jig gear fisheries.

It is unclear to the department if, or to what extent, vessel operators use longline reels as jig machines, so effects of this proposal are largely unknown.

BACKGROUND: It is the department's understanding this proposal originates from concerns specific to the Kodiak Area state-waters Pacific cod jig gear fishery. The Kodiak Area state-waters Pacific cod jig gear fishery is an open access fishery. The fishery opens on January 1 and closes when the jig gear guideline harvest level (GHL) allocation has been harvested or on December 31 if the jig gear GHL is not fully harvested. Jig and hand troll gear are the only legal gear types. Vessels are restricted to operating no more than six mechanical jigging machines. Each jigging machine may have no more than 30 hooks attached. Additionally, jig gear vessels are limited to having no more than 500 hooks, in aggregate, on board the vessel. There is no vessel size limit for jig gear vessels in the Kodiak Area. Other groundfish gear types may be on board a vessel participating in the state-waters Pacific cod jig gear fishery, but only jig or hand troll gear may be used to harvest Pacific cod while registered for the fishery.

The GHL for the Kodiak Area state-waters Pacific cod season is based on 12.5% of the Central Gulf of Alaska Acceptable Biological Catch limit for Pacific cod. By regulation, 50% of the GHL is allocated to pot gear vessels and 50% is allocated to jig gear vessels. Since inception of fishery in 1997, the jig gear GHL allocation has been fully harvested in 12 out of 29 seasons. Jig gear seasons frequently remain open most of the year, with most harvest occurring from March through May. From 2021 through 2025, an average of 42 jig gear vessels participated in the fishery annually. Jig gear GHGs are fully harvested during years when Pacific cod abundance is relatively high, and fish are close to the port of Kodiak. During the 2025 Kodiak Area state-waters Pacific cod fishery, each gear type was allocated 2.83 million pounds. The jig gear fishery opened on January 1 and closed on April 4 when the jig gear GHG allocation was achieved; 63 jig gear vessels made landings during the 2025 season.

Some fishery participants have expressed long-standing concerns regarding vessels operating prohibited gear types (i.e., longline, pot, etc.) during the Kodiak Area state-waters Pacific cod jig gear fishery; these concerns resurfaced during the 2025 season. As early as 2004, proposals with similar intent were addressed by the board (Proposals 74 and 75; Kodiak Finfish Meeting; January 7–10, 2005). Those proposals sought to prohibit vessels from carrying longline gear while participating in the jig gear fishery. Based on stakeholder desire for flexibility, the board did not prohibit multiple gear types on board but chose to implement a 500-hook aggregate on board limit which is still in regulation for the Kodiak Area (5 AAC 28.430(g)). Further, Agenda Change Request 9 was submitted to address multiple gear types specific to the Kodiak Area Pacific cod jig gear fishery during the 2025–2026 board meeting cycle. That action failed 0–7 with commentary from board members recognizing this issue is better suited for consideration during area specific board meetings.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal and recommends stakeholders address gear conflicts specific to the Kodiak Area during the 2026/27 Kodiak Finfish meeting to avoid introducing unforeseen effects on other fisheries related to modifying jig gear definitions statewide.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional direct cost for the department.

PROPOSAL 167 – 5 AAC 28.050. Lawful gear for groundfish.

PROPOSED BY: Alaska Jig Association.

WHAT WOULD THE PROPOSAL DO? This would restrict vessels to only carrying mechanical jigging machines (jig gear) and hand troll gear on board while participating in any state-managed commercial groundfish jig gear fishery.

WHAT ARE THE CURRENT REGULATIONS? Generally, only jig or hand troll gear may be used to harvest groundfish in a jig gear fishery, but other gear types (e.g., longline, pot, etc.) may be on board while a vessel is participating in a jig gear fishery except, a vessel may have only one groundfish gear type on board the vessel at any time in the Prince William Sound and Cook Inlet areas.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Over 20 unique jig gear fisheries exist across Alaska for a variety of different groundfish species. Total effects of this proposal are generally unknown and will vary by target fishery, location, and individual vessel fishing operations.

Vessels that only use jig gear, and vessels that typically do not store other gear types on board while participating in jig gear fisheries, would not be impacted by this proposal. Conversely, vessels that store other gear types on board while participating in jig gear fisheries would need to modify fishing practices by finding alternative storage options for non-jig groundfish gear or opt out of fisheries that prohibit multiple gear types on board. Vessels that travel long distances from homeports to participate in multiple groundfish fisheries using different gear types (e.g., halibut longline gear, sablefish slinky pot gear, and Pacific cod jig gear), without returning to homeports between fisheries, are more likely to store additional types of groundfish gear on board. In the Kodiak Area, the department estimates that vessels in this category tend to most commonly carry longline gear followed by pot gear (typically slinky pots) while participating in the Pacific cod jig gear fishery. The department does not require reporting on or collect information specific to this practice.

Restricting vessels to only carrying jig gear while participating in jig gear fisheries would aid enforcement by reducing uncertainty on which gear type is used to harvest groundfish when multiple gear types are present on board a vessel.

BACKGROUND: It is the department's understanding this proposal originates from concerns specific to the Kodiak Area state-waters Pacific cod jig gear fishery. The Kodiak Area state-waters Pacific cod jig gear fishery is an open access fishery. The fishery opens on January 1 and closes when the jig gear guideline harvest level (GHL) allocation has been harvested or on December 31 if the jig gear GHL is not fully harvested. Jig and hand troll gear are the only legal gear types. Vessels are restricted to operating no more than 6 mechanical jigging machines. Each jigging machine may have no more than 30 hooks attached. Additionally, jig gear vessels are limited to having no more than 500 hooks, in aggregate, on board the vessel. There is no vessel size limit for jig gear vessels in the Kodiak Area. Other groundfish gear types may be on board a vessel

participating in the state-waters Pacific cod jig gear fishery, but only jig or hand troll gear may be used to harvest Pacific cod while registered for the fishery.

The GHL for the Kodiak Area state-waters Pacific cod season is based on 12.5% of the Central Gulf of Alaska Acceptable Biological Catch limit for Pacific cod. By regulation, 50% of the GHL is allocated to pot gear vessels and 50% is allocated to jig gear vessels. Since inception of fishery in 1997, the jig gear GHL allocation has been fully harvested in 12 out of 29 seasons. Jig gear seasons frequently remain open most of the year, with most harvest occurring from March through May. From 2021 through 2025, an average of 42 jig gear vessels participated in the fishery annually. Jig gear GHLs are fully harvested during years when Pacific cod abundance is relatively high and fish are close to the port of Kodiak. During the 2025 Kodiak Area state-waters Pacific cod fishery, jig gear was allocated 2.83 million pounds. The jig gear fishery opened on January 1 and closed on April 4 when the jig gear GHL allocation was achieved; 63 jig gear vessels made landings during the 2025 season.

Some fishery participants have expressed long-standing concerns regarding vessels operating prohibited gear types (i.e., longline, pot, etc.) during the Kodiak Area state-waters Pacific cod jig gear fishery; these concerns resurfaced during the 2025 season. As early as 2004, proposals with similar intent were addressed by the board (Proposals 74 and 75; Kodiak Finfish Meeting; January 7–10, 2005). Those proposals sought to prohibit vessels from carrying longline gear while participating in the jig gear fishery. Based on stakeholder desire for flexibility, the board did not prohibit multiple gear types on board but chose to implement a 500-hook aggregate on board limit which is still in regulation for the Kodiak Area (5 AAC 28.430(g)). Further, ACR 9 was submitted to address multiple gear types specific to the Kodiak Area Pacific cod jig fishery during the 2025–2026 board meeting cycle. That action failed 0–7 with commentary from board members indicating this issue is better suited for consideration during area specific board meetings.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. The department supports orderly fisheries and regulations that aid enforcement but recommends stakeholders address gear conflicts specific to the Kodiak Area during the 2026/27 Kodiak Finfish meeting to avoid introducing unforeseen effects related to modifying allowable gear types statewide.

COST ANALYSIS: Approval of this proposal could result in an additional direct cost for a private person to participate in this fishery if a vessel opts to pay for remote port gear storage should storing multiple gear types on board be prohibited. Approval of this proposal is not expected to result in an additional direct cost for the department.

PROPOSAL 168 – 5 AAC 28.050. Lawful gear for groundfish.

PROPOSED BY: Nate Rose.

WHAT WOULD THE PROPOSAL DO? This would prohibit vessels from carrying more than one groundfish gear type on board when participating in any groundfish fishery.

WHAT ARE THE CURRENT REGULATIONS? Groundfish gear regulations vary statewide. In general, vessels may have multiple types of groundfish gear on board (e.g., trawl, pot, longline, jig), including gear types that are not legal gear for the groundfish fishery the vessel is currently participating in. Other fisheries explicitly allow for targeting groundfish using multiple gear types concurrently. Conversely, a vessel may have only one groundfish gear type on board the vessel in the Prince William Sound and Cook Inlet areas.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Many groundfish fisheries occur across Alaska, targeting different species with different gear types. Given its broad scope, effects of this proposal are difficult to summarize and will vary across groundfish fishery management jurisdictions (i.e., state-waters, parallel, and treaty fisheries), fishery management plans, individual vessel fishing operations, and market conditions among other factors.

Vessels that only use a single gear type, and vessels that typically do not store other gear types on board while participating in a groundfish fishery, would not be impacted by this proposal. Conversely, vessels that have historically stored other gear types on board while participating in a groundfish fishery would need to change fishing practices by finding alternative storage options for other groundfish gear on board or opt out of fisheries that prohibit multiple gear types. Vessels that travel long distances from homeports to participate in multiple groundfish fisheries using different gear types (e.g., halibut longline gear, sablefish slinky pot gear, and Pacific cod jig gear), without returning to homeports between fisheries, are more likely to store additional types of groundfish gear on board than vessels fishing closer to their homeports.

Further, it is common practice in some groundfish fisheries for multiple gear types to be used during the same trip. For example, trawl gear vessels commonly have both pelagic and non-pelagic trawl gear on board concurrently and it is becoming more common for individual fishing quota (IFQ) halibut/sablefish vessels to have both pot and longline gear on board concurrently. These practices would no longer be allowed if this proposal were adopted.

Restricting vessels to carrying only one type of gear on board while participating in groundfish fisheries may aid enforcement by reducing uncertainty on which gear type was used to harvest groundfish when multiple gear types are present on board a vessel.

BACKGROUND: It is the department's understanding the basis for this proposal stems from concerns specific to the Kodiak Area state-waters Pacific cod jig gear fishery.

The Kodiak Area state-waters Pacific cod jig gear fishery is an open access fishery. The fishery opens on January 1 and closes when the jig gear guideline harvest level (GHL) allocation has been

harvested or on December 31 if the jig gear GHL is not fully harvested. Jig and hand troll gear are the only legal gear types. Vessels are restricted to operating no more than six mechanical jigging machines. Each jigging machine may have no more than 30 hooks attached. Additionally, jig gear vessels are limited to having no more than 500 hooks, in aggregate, on board the vessel. There is no vessel size limit for jig gear vessels in the Kodiak Area. Other groundfish gear types may be on board a vessel participating in the state-waters Pacific cod jig gear fishery, but only jig or hand troll gear may be used to harvest Pacific cod while registered for the fishery.

The GHL for the Kodiak Area state-waters Pacific cod season is based on 12.5% of the Central Gulf of Alaska Acceptable Biological Catch limit for Pacific cod. By regulation, 50% of the GHL is allocated to pot gear vessels and 50% is allocated to jig gear vessels. Since inception of fishery in 1997, the jig gear GHL allocation has been fully harvested in 12 out of 29 seasons. Jig gear seasons frequently remain open most of the year, with most harvest occurring from March through May. From 2021 through 2025, an average of 42 jig gear vessels participated in the fishery annually. Jig gear GHLs are fully harvested during years when Pacific cod abundance is relatively high and fish are close to the port of Kodiak. During the 2025 Kodiak Area state-waters Pacific cod fishery, each gear type was allocated 2.83 million pounds. The jig gear fishery opened on January 1 and closed on April 4 when the jig gear GHL allocation was achieved; 63 jig gear vessels made landings during the 2025 season.

Some fishery participants have expressed long-standing concerns regarding vessels operating prohibited gear types (i.e., longline, pot, etc.) during the Kodiak Area state-waters Pacific cod jig gear fishery; these concerns resurfaced during the 2025 season. As early as 2004, proposals with similar intent were addressed by the board (Proposals 74 and 75; Kodiak Finfish Meeting; January 7–10, 2005). Those proposals sought to prohibit vessels from carrying longline gear while participating in the jig gear fishery. Based on stakeholder desire for flexibility, the board did not prohibit multiple gear types on board but chose to implement a 500-hook aggregate on board limit which is still in regulation for the Kodiak Area (5 AAC 28.430(g)). Further, Agenda Change Request 9 was submitted to address multiple gear types specific to the Kodiak Area Pacific cod jig fishery during the 2025–2026 board cycle. That action failed 0-7 with commentary from board members indicating this issue is better suited for consideration during area specific board meetings.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. The department supports orderly fisheries and regulations that aid enforcement but recommends stakeholders address gear conflicts specific to the Kodiak Area during the 2026/27 Kodiak Finfish meeting to avoid introducing unforeseen effects related to modifying allowable gear types statewide.

COST ANALYSIS: Approval of this proposal could result in an additional direct cost for a private person to participate in this fishery if a vessel opts to pay for remote port gear storage should storing multiple gear types on board be prohibited. Approval of this proposal is not expected to result in an additional direct cost for the department.

PROPOSAL 169 – 5 AAC 39.105. Types of legal gear.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would define collapsible coil spring groundfish pots, commonly known as *slinky pots*, into groundfish regulation.

WHAT ARE THE CURRENT REGULATIONS? Currently, there are no statewide groundfish regulations to define collapsible coil spring groundfish pots, commonly known as *slinky pots*. Groundfish are allowed to be taken with pots with the exception of king and Tanner crab pots described in 5 AAC 34.050(2) and 5 AAC 35.050(2) (5 AAC 28.050(a)(1)). Regulations define a groundfish pot as a pot with individual tunnel eye openings with perimeters 36 inches or less (5 AAC 28.050(e)). In addition, current regulations require escape mechanisms for all commercial pot gear, including collapsible groundfish pots, or slinky pots, which must contain two escape mechanism openings on opposite sides of the pot (5 AAC 39.145). Buoy marking requirements for single and longlined groundfish pots are found in (5 AAC 28.050 (b)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would provide a concise regulatory definition of an emerging groundfish gear type to aid management and enforcement of fisheries where slinky pots are used.

BACKGROUND: Traditional pot gear used to target Pacific cod and other groundfish typically consists of heavy, rigid pots that are fished in single pot fashion, each with its own buoy. In recent years, collapsible coil spring “slinky” pots have become increasingly popular because they are lightweight and easy to deploy on a longline with multiple pots and have low bycatch of nontarget species. This is a relatively new gear type that has become more common in groundfish fisheries, and several management areas now allow longlined groundfish pots. Slinky pots have gained broad acceptance in sablefish fisheries as an alternative to hook-and-line gear, which has been increasingly subject to whale depredation. There has also been increasing use of slinky pots in Pacific cod fisheries in areas where they are permitted to be longlined.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal to improve clarity in the regulations for this new gear type.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 173 – 5 ACC 39.291. Boundary Markers.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would clarify that when boundary markers are not present, boundary locations may be defined by emergency order.

WHAT ARE THE CURRENT REGULATIONS? Fishing districts, sections, closed waters, and other fishing areas are defined in regulation. 5 AAC 39.291 describes posting of boundary markers (regulatory markers) for those areas. State statute (16.05.785) identifies that commercial fishing is allowed between old markers and new markers until the old markers are removed.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? There would be less ambiguity of fishing boundaries. Regulations would better reflect modern practices of defining fishing boundaries without using regulatory markers.

BACKGROUND: The department historically used regulatory markers to identify fishing boundaries. With the advent of Global Positioning System (GPS) and mapping software providing highly accurate locations, the department has moved away from placing regulatory markers for many fishery boundaries because placing, removing, and maintaining regulatory markers is expensive and no longer necessary. Most fishing vessels have the capability of locating and marking fishing boundaries on their navigation software, handheld GPS devices, or smartphones.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 174 – 5 ACC 39.260. Seine specifications and operations.

PROPOSED BY: Rob Nelson.

WHAT WOULD THE PROPOSAL DO? This would allow the engine of either a commercial purse seine vessel or the vessel's support vessel (power skiff) to be off while the net is deployed.

WHAT ARE THE CURRENT REGULATIONS? Both the engine of the purse seine vessel and the vessel's power skiff must be running while the purse seine net is deployed.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Operational costs for purse seine fishers may be lowered. The ability to use a seine as a fish trap is increased.

BACKGROUND: Purse seine vessels have historically used a small support vessel called a power skiff in deploying the purse seine, holding the purse seine in position while fishing, and assisting in the retrieval of the purse seine. In some cases, purse seine fishing operations are conducted in a manner that does not require the use of a power skiff or the use of the power skiff during the entirety of the purse seine deployment and retrieval.

The department saw a significant increase in the number of fishermen setting their purse seines as fish traps during the 1983 and 84 seasons. As a result, the board adopted regulations in 1985 to explicitly prohibit this practice. The current regulation that requires both engines to be running was adopted in 1987 to help clarify regulations adopted in 1985, prohibiting use of seines as traps.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. There have been citations issued in recent years citing purse seine vessels configuring their seines to be used as fish traps. This regulation continues to help clarify and solidify regulations preventing purse seines from being used as fish traps.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 186 – 5 AAC 21.353. Central District Drift Gillnet Fishery Management Plan.

PROPOSED BY: Andrew Couch.

WHAT WOULD THE PROPOSAL DO? This would restrict the areas commercial drift gillnet fishing may be opened in Upper Cook Inlet from July 9 through July 31 as follows:

- 1) Remove Drift Gillnet Area 1 from the optional additional period when Kenai River sockeye salmon run sizes are greater than 2.3 million from July 9 through July 15.
- 2) Remove Drift Gillnet Area 1 and district wide during regular and additional periods from July 16 through July 31 when Kenai River sockeye salmon run sizes are at the middle (2.3–4.6 million fish) and upper tier (>4.6 million fish).

WHAT ARE THE CURRENT REGULATIONS? In the Upper Cook Inlet (UCI) commercial drift gillnet fishery within State of Alaska (SOA) waters, commercial periods are open for 12-hour regular periods on Mondays and Thursdays. The season for drift gillnet fishing begins approximately June 19 each year and is typically closed by emergency order when all effort ceases in mid-September. The areas open to regular periods or additional periods are outlined in 5 AAC 21.353 *Central District Drift Gillnet Fishery Management Plan (CDDGFMP)* by date and based on Kenai River late-run sockeye salmon run size as follows:

From July 9 through July 15:

- Both regular 12-hour commercial fishing periods are restricted to the Expanded Kenai and Expanded Kasilof sections and Drift Gillnet Area 1. Any additional commercial fishing time is restricted to the Expanded Kenai and Expanded Kasilof sections only.
- When Kenai River late-run sockeye salmon run strengths are greater than 2.3 million fish, one additional 12-hour period may be opened in the Expanded Kenai and Expanded Kasilof sections and Drift Gillnet Area 1.

From July 16 through July 31:

- When Kenai River late-run sockeye salmon run sizes are less than 2.3 million fish, both regular 12-hour commercial fishing periods will be restricted to the Expanded Kasilof and Kenai Sections only.
- When Kenai River late-run sockeye salmon run sizes are between 2.3–4.6 million fish, one regular 12-hour commercial fishing period will be restricted to one or more of the following areas: Drift Area 1, expanded Kasilof Section, expanded Kenai Section, and Anchor Point Section. The remaining regular 12-hour commercial fishing period will be restricted to one or more of the following areas: Expanded Kasilof Section, Expanded Kenai Section, and Anchor Point Section.
- When Kenai River late-run sockeye salmon run sizes are greater than 4.6 million fish, one regular 12-hour commercial fishing period will be restricted to the Expanded Kasilof, Expanded Kenai, and Anchor Point Sections. The remaining 12-hour regular commercial fishing period is not restricted and may be fished district wide.
- Any additional commercial fishing time is restricted to the Expanded Kasilof, Expanded

Kenai, and Anchor Point Sections.

From August 1 through August 15:

- Both regular 12-hour commercial fishing periods are restricted to one or more of the following areas: Drift Gillnet Area 1, Drift Gillnet Area 3, Expanded Kasilof Section, Expanded Kenai Section, and Anchor Point Section.
- Additional fishing time is allowed only in the expanded Kenai, Expanded Kasilof and Anchor Point Sections, except when the entire Upper Subdistrict set gillnet fishery is closed under its own one-percent rule, or the department determines that less than one percent of the season's total drift gillnet sockeye salmon harvest has been taken per fishing period for two consecutive fishing periods in the drift gillnet fishery, regular fishing periods will be restricted to Drift Gillnet Areas 3 and 4.

After August 15, all regular periods are restricted to Drift Gillnet Areas 3 and 4 until the season is closed by emergency order.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce the harvest of salmon by an unknown amount in state waters of the Central District commercial drift gillnet fishery. As such, this would likely increase the number of salmon moving into the Kenai and Kasilof Rivers, the Northern District, and Northern Cook Inlet freshwater systems and subsequently reduce the departments' ability to achieve sockeye salmon escapement and inriver goals in the Kenai and Kasilof Rivers.

The restrictions in this proposal would be limited to State of Alaska waters. The National Marine Fisheries Service administers a federal fishery management plan that regulates salmon fishing in the Exclusive Economic Zone (EEZ) within Upper Cook Inlet. Districtwide, Area 1, Area 4, the Expanded Kasilof, and Anchor Point Sections contain some amount of EEZ waters.

BACKGROUND: The drift gillnet fishery is regulated under the provisions of two management plans, 5 AAC 21.360. *Kenai River Late-Run Sockeye Salmon Management Plan* and 5 AAC 21.353 *Central District Drift Gillnet Fishery Management Plan (CDDGFMP)*. These plans provide the department specific abundance-based criteria to direct the harvest of salmon while outlining time and area restrictions to minimize harvest of Northern Cook Inlet (NCI) sockeye and coho salmon and Kenai River king and coho salmon. The CDDGFMP purpose is to ensure adequate escapement and a harvestable surplus of salmon into the Northern District drainages and to provide management guidelines to the department. Kenai River sockeye salmon are the most abundant sockeye salmon stock in UCI; many management decisions, and even management plan provisions, are driven by the abundance of Kenai River sockeye salmon. These management plan objectives are primarily accomplished with specific provisions that restrict commercial fishing during two time periods, July 9–15 and July 16–31, where the drift gillnet fleet is restricted to specific areas of the Central District to reduce the harvest of NCI sockeye and coho salmon. The *CDDGFMP* consistently receives multiple proposals at UCI finfish board meetings and is allocative between commercial fish gear type groups, inriver sport fisheries, and personal use fisheries.

Historical Management and Allocation

In 1996, the *Northern District Coho Salmon Management Plan* (5 AAC 21.358) was first adopted to minimize the harvest of Susitna River coho salmon and to limit the commercial harvest of coho

salmon bound for freshwater streams and rivers of the Northern District. It included a restriction to the Central District drift gillnet fishery where the first regularly scheduled period after July 25 was restricted to the Kenai and Kasilof Sections, and the fishery closed on August 9 (Figure 186-1, Figure 186-2, and Table 186-1).

In 1999, the plan was renamed the *Northern District Salmon Management Plan* and included new restrictions on the Central District drift gillnet fishery. From July 9 to 15, there was one regular fishing period (designated by the department) that was restricted to the Kenai and Kasilof sections. In addition, for the first regular fishing period immediately before or on July 25 and the first regular period after July 25, fishing was restricted to either or both the Kenai and Kasilof sections and/or that portion of the Central District south of Kalgin Island (now referred to as Drift Area 1). If Kenai River sockeye salmon run was projected to be more than 4.0 million fish, there were no mandatory restrictions during regular fishing periods. The August 9 season closure remained unchanged.

In 2002, additional changes were made to the *Northern District Salmon Management Plan* (Table 186-1). From July 16 to 31, fishing with drift gillnet gear was now restricted for two consecutive regular fishing periods to either or both of the Kenai and Kasilof Sections of the Upper Subdistrict, or that portion of the Central District south of Kalgin Island (Drift Area 1). However, if Kenai River sockeye salmon run was greater than 3 million fish, the CDDGFMP provided options to liberalize restrictions to include Drift Area 2 during the July 16–31 timeframe. If Kenai River sockeye salmon run was greater than 4.0 million fish, the plan provided for an option for districtwide openings for the periods on or before July 25 and the first period after July 25. The fishery was only authorized in this additional area if the department determined that: 1) sockeye salmon escapement goals were being met in the Kenai, Kasilof, and Yentna Rivers; 2) abundance of pink salmon and chum salmon stocks were sufficient to withstand commercial harvest; and 3) coho salmon stocks were sufficient enough to withstand commercial harvest and that additional harvest would not lead to restrictions in the coho salmon sport fisheries. The August 9 season closure remained unchanged.

In 2005, the board eliminated all specific references to the Central District drift gillnet fishery in the *Northern District Salmon Management Plan* and established the *Central District Drift Gillnet Fishery Management Plan* (5 AAC 21.353). In this plan, the board provided for an earlier opening date (the third Monday in June or June 19, whichever is later); this was done largely in response to strong Kasilof River sockeye salmon runs during the previous nine years (Table 186-1). Restrictions to the drift gillnet fishery required both fishing periods between July 9 and 15 to be limited to the Kenai and Kasilof Sections and Drift Area 1. Restrictions during this time period were put in place because of difficulty achieving the minimum sockeye salmon escapement goal in the Yentna River. From July 16 to 31, restrictions were based upon run strength of Kenai River sockeye salmon. At run strengths of less than 2.0 million sockeye salmon to the Kenai River, fishing during any two regular 12-hour fishing periods was restricted to the Kenai and Kasilof sections of the Upper Subdistrict and Drift Area 1; at run strengths of 2.0 million to 4.0 million sockeye salmon to the Kenai River, fishing during two regular 12-hour fishing periods was restricted to the Kenai and Kasilof Sections and Drift Areas 1 and 2 (Figures 186-1 and 186-2); at run strengths greater than 4.0 million sockeye salmon to the Kenai River, there were no mandatory restrictions during regular fishing periods.

The fishery remained open until closed by Emergency Order, (EO) except that beginning August 11 the drift gillnet fishery was limited to the newly described Drift Areas 3 and 4 (Figure 186-1). Finally, in 2005, the board established an optimal escapement goal (OEG) range for Yentna River

sockeye salmon of 75,000–180,000 fish when Kenai River sockeye salmon runs exceeded 4.0 million fish. The OEG was 15,000 fish below the lower end of the Yentna River SEG range (90,000–160,000 fish) and 20,000 fish above the SEG range on the upper end. Specifically, the *Northern District Salmon Management Plan* stated, “Achievement of the lower end of the Yentna River optimal escapement goal shall take priority over not exceeding the upper end of the Kenai River escapement goal.”

Also in 2005, 5 AAC 21.320(b)(2)(C)(iii) was amended to include, for the first time, what is commonly referred to as the “one-percent rule.” This provision stated that any time after July 31, if less than one percent of the season’s total sockeye salmon harvest has been taken per fishing period for two consecutive fishing periods in the Kenai, Kasilof, and East Foreland sections of the Central District set gillnet fishery (ESSN), the season will close for both the Central District drift and set gillnet fisheries.

In 2008, the *Pink Salmon Management Plan* was repealed, and the Central District drift gillnet fishery was extended for regularly scheduled fishing periods only between August 11–15 in Drift Areas 1 and 2. Previously the fishery was restricted to Drift Areas 3 and 4 after August 10. Additionally, the board modified the drift gillnet plan to state that if the ESSN fishery was closed based on the one-percent rule, drift gillnet regular fishing periods from August 11–15 would be restricted to Drift Areas 3 and 4.

In 2011, the CDDGFMP was changed as follows: 1) fishing during the second regular fishing period from July 9–15 was restricted to the Kenai and Kasilof sections of the Upper Subdistrict and Drift Area 1; 2) at run strengths greater than 2.3 million sockeye salmon to the Kenai River, the department may, by EO, open one additional 12-hour fishing period in only the Kenai and Kasilof sections (not the Expanded Kenai and Kasilof sections) and Drift Area 1; 3) at run strengths of 2.3 million to 4.6 million sockeye salmon to the Kenai River, fishing during one regular 12-hour fishing period per week was to be restricted to either the Expanded Kenai or Expanded Kasilof sections (or both together) of the Upper Subdistrict or to Drift Area 1, but not to both areas concurrently; and 4) at run strengths greater than 4.6 million sockeye salmon to the Kenai River, there were no mandatory restrictions during regular fishing periods (Table 186-1 and Figure 186-1).

In 2014, modifications to the drift gillnet plan included 1) both regular fishing periods from July 9–15 were restricted to the Expanded Kenai and Expanded Kasilof Sections and Drift Gillnet Area 1; 2) at Kenai River run strengths greater than 2.3 million fish, a third 12-hour fishing period during this time may be allowed in the Expanded Kenai and Expanded Kasilof Sections and Drift Gillnet Area 1; 3) from July 16- 31, at run strengths less than 2.3 million Kenai River sockeye salmon, fishing during all regular 12-hour fishing periods were to be restricted to the Expanded Kenai and Expanded Kasilof Sections; 4) at run strengths of 2.3 million to 4.6 million Kenai River sockeye salmon, fishing during one 12-hour regular fishing period per week was restricted to any or all of the following areas: Expanded Kenai Section, Expanded Kasilof Section, Anchor Point Section, and Drift Area 1. The remaining weekly 12-hour regular fishing period was restricted to one or more of the following: Expanded Kenai, Expanded Kasilof, or Anchor Point Sections; 5) at run strengths greater than 4.6 million Kenai River sockeye salmon, fishing during one 12-hour fishing period per week will be restricted to the Expanded Kenai, Expanded Kasilof, and Anchor Point sections. There are no mandatory restrictions on the remaining 12-hour regular fishing period; 6) all additional fishing time, other than regular fishing periods, is allowed in any or all of the following: Expanded Kenai, Expanded Kasilof and Anchor Point Sections; 7) added the “Anchor

Point Section” to the list of corridors. Finally, in 2014, the board adopted a new one-percent rule for drift gillnetting. The drift rule states that after August 1 drift gillnet regular periods will be restricted to Drift Gillnet Areas 3 and 4, if the drift fleet harvests less than one percent of their total sockeye salmon harvest for two consecutive fishing periods.

In 2017, the only change to the plan was from July 16–31, one of the drift gillnet Area 1 openings at run strengths 2.3–4.6 million Kenai River sockeye salmon could be expanded to districtwide instead of just in Drift Area 1.

In 2020, the drift gillnet plan was modified by removing the option to expand one Area 1 opening to districtwide from July 16–31 in Kenai River sockeye runs of 2.3–4.6 million fish. Additionally, drift gillnet periods after July 31 were no longer allowed to be district wide and are restricted to Area 1, Expanded Kenai Section, Expanded Kasilof Section, and Anchor Point Section. Additional periods are restricted to the Expanded Kenai Section, Expanded Kasilof Section, and Anchor Point Section during this time period.

In 2024, Kenai River late-run king salmon was designated as a stock of concern and the subsequent recovery plan included a provision that prohibited drift gillnet fishing within 2 miles of the Kenai Peninsula shoreline for the duration of the season. Additionally, the drift gillnet plan was modified to include Drift Gillnet Area 3 in regular periods from August 1 to August 15.

Following the BOF in the spring of 2024, the Fisheries Management Plan (FMP) for salmon fisheries in the Exclusive Economic Zone (EEZ) of UCI was adopted and the drift gillnet fishery was fully administered by the National Marine Fisheries Service in these waters. The federal regulations mirrored the existing SOA regulations in the time and area fishing in the EEZ was allowed. Notable additional requirements under the FMP included exclusive participation on a given day between the federal and state fisheries, the mandatory vessel monitoring system, and species specific total allowable catch (TAC) limits set as management objectives.

One Percent Rule Record of Use

Since the drift gillnet fishery specific one-percent rule was implemented in 2014, this regulation has been implemented in 5 of 12 years (Table 186-2). This has affected a total of nine fishing periods over these five years. For the 2024 and 2025 seasons, the department utilized the combined total sockeye salmon harvest from the federal EEZ and State of Alaska drift gillnet fisheries to evaluate the one percent rule.

Harvest Trends and Stock Composition

Harvest is reported in larger aggregates of statistical areas for the drift gillnet fishery. This limits the department’s ability to represent harvest specific to Area 1 in a given fishing period or annual harvest summaries.

The drift gillnet fishery average annual harvest of both sockeye and coho salmon has been variable through time and is largely dependent on sockeye abundance and management plan stipulations (Table 186-3). Peak sockeye salmon harvest generally occurs from July 10–July 25 while coho salmon generally peaks from July 17–July 27 (Figure 186-3). The average annual sockeye salmon harvest of approximately 938,000 fish in the most recent 10 years (2015–2024) and 1.37 million fish from the most recent 20 years (2005–2024). Coho salmon harvest has been variable with the most recent 10-year average annual harvest of 85,000 fish and 20-year average harvest of 93,000 fish. From 2005 to 2025, coho salmon harvest has ranged from a low in 2024 of 11,143 fish to a high in 2017 of 191,490 fish.

In 2024 and 2025, UCI drift gillnet fisheries participation was concentrated in the SOA waters fisheries with much less participation in the federal EEZ fishery than was anticipated. Harvest in SOA waters represented 80% of the total salmon harvest in the UCI in 2024 and 89% in 2025 (Table 186-4). The number of open periods has been greater in the SOA fishery as the department uses inseason management to provide opportunity when surplus abundance of sockeye salmon is available or restrict when conservation is needed. Preliminary harvest in SOA waters in 2025 was 65 king, 3,132,220 sockeye, 70,283 coho, 31,027 pink, and 81,565 chum salmon. Preliminary harvest in EEZ waters in 2025 was 39 king, 382,804 sockeye, 15,028 coho, 6,019 pink, and 26,786 chum salmon (Table 186-4). The EEZ drift gillnet fishery has not reached or exceeded any of the species-specific TAC limits in 2024 or 2025.

From 2013 to 2016, genetic mixed stock analyses were conducted on coho salmon harvested in UCI commercial fisheries (Figures 186-4; Tables 186-5 through 186-10). The drift gillnet fishery average annual harvest of NCI coho salmon during these four years averaged 24,000 fish from the Northwest CI; 23,000 from Susitna River; 5,400 from Deshka River; 28,000 from Yentna River; 21,000 from Knik Arm; 1,700 from Jim Creek; and 7,800 originating from Turnagain/Northeast Cook Inlet streams (Tables 186-6 through 186-10). Coho salmon abundance estimates were completed for the entire Susitna River drainage from 2010 to 2012, 2014, and 2015. Abundance estimates ranged from approximately 159,000 fish in 2014 to approximately 263,000 fish in 2015, and average abundance across years was approximately 204,000 fish (Table 186-11). The data has limitations in the ability to detect stock-specific spatial and temporal patterns for NCI coho stocks in the drift gillnet fishery during specific time frames on an annual basis.

UCI Sockeye and Coho Salmon Run and Escapement Trends

Sockeye Salmon

From 2015 to 2024, the Kenai River late-run sockeye salmon inriver goal has been achieved once and exceeded nine times while the sustainable escapement goal (SEG) has been achieved three times and exceeded seven times. The annual runs have not been below the lower end of either goal and has been above minimum bounds since 2008. In 2025, approximately 4.25 million sockeye were estimated to have passed the river mile 19 sonar, which is the highest count on record. The preliminary escapement of 3.85 million is estimated using the 5-year average sport fishery harvest upstream of the sonar and exceeds the SEG of 750,000–1,300,000 fish (Table 186-12). The 2025 return is predominately progeny of the 2020 brood year which had an escapement of approximately 1.60 million fish. Sockeye salmon production off multiple consecutive years of escapements in excess of the SEG is unknown at this time and will be more informed as these returns come back over the next six years. This SEG is under review for the Upper Cook Inlet Board of Fisheries meeting in the spring of 2027 and will be first presented at the 2026-27 cycle work session. The department does not review inriver run goals.

From 2015 to 2024, the Kasilof River sockeye salmon biological escapement goal (BEG) and optimal escapement goal (OEG) have been exceeded each year since 2017. Neither goal has been below minimum bounds. In 2025, approximately 1.19 million sockeye passed the sonar counter which is the highest count on record (Table 186-13). The 2025 return is predominately progeny of the 2020 and 2021 brood years which had escapements of approximately 500,000 fish each year. This BEG is under review for the Upper Cook Inlet Board of Fisheries meeting in the spring of 2027 and will be first presented at the 2026-27 cycle work session. The department does not review OEGs.

There are four sockeye salmon stocks in Northern Cook Inlet with SEGs: Larson, Chelatna, and Judd Lakes, and Fish Creek. Fish Creek and Larson Lake weirs have been consistently operated since 2009 while Chelatna and Judd Lakes have intermittently been monitored when funding is available. Since 2016, the SEGs on these stocks have been achieved or exceeded when they are monitored (Table 186-14). In 2025, Larson Lake, Chelatna Lake, and Fish Creek were monitored. The Larson Lake escapement was 32,904 fish which achieved the SEG of 15,000–35,000 fish. The Chelatna Lake escapement was 59,163 fish which exceeded the SEG of 15,000–40,000 fish. The Fish Creek escapement was 42,573 fish which achieved the SEG of 15,000–45,000 fish (Table 186-14).

Coho Salmon

In UCI, there are four coho salmon systems with escapement goals. The Little Susitna River, Deshka River, and Fish Creek are monitored by weirs, while Jim Creek (within McRoberts Creek) is assessed with foot surveys. Monitoring coho salmon presents many challenges to obtain consistent and complete run information. Due to flooding water conditions, the Deshka River coho salmon weir counts have been incomplete since 2020 and represent a minimum count of the coho salmon escapement. In 2025, flooding conditions ended the Deshka River weir operations for only the last 2% of the run (based on historical run timing) but 38% of the run was counted on the last day of operation. It is unlikely the SEG of 10,200–24,100 fish was achieved (Table 186-15). The Little Susitna coho salmon weir counts were incomplete from 2021–2024. In 2025, the Little Susitna weir was moved from its original location at river mile 32.5 to river mile 39.5 and began operating on July 23. Low water conditions slowed the coho salmon passage through August. High water prevented counting from August 30 until September 1 due to safety concerns, the last day of counts was on September 9. The weir count of 4,506 fish did not achieve the SEG of 9,200–17,700 fish (Table 186-15). The Fish Creek coho salmon escapement counts were completely enumerated since 2020 except for 2022 and the SEG was achieved or exceeded in each of the completed years. The Jim Creek foot survey for coho salmon has been completed each year since 2020 and the SEG has been achieved or exceeded in each of those years (Table 186-15).

Northern District Sport Fisheries Harvest

Coho salmon harvest in Northern District sport fisheries has declined from a historical (1990-2004) average of approximately 75,000 fish annually to an average of approximately 50,000 fish in the recent 20-year period (2005-2024) average and to an average of approximately 36,000 fish annually in the recent 10-year period (2015-2024) (Table 186-16). The 20-year average annual coho salmon sport fishery harvest from 2005 to 2024 at the Deshka River was approximately 2,600 fish and recent 10-year average harvest has declined to 1,800 fish (Table 186-15). The 20-year average annual sport fishery harvest in the Little Susitna River was approximately 6,600 fish and annual harvest declined to 3,600 fish in the 10-year period (Table 186-15).

The department has issued EOs inseason to restrict and liberalize the Deshka and Little Susitna Rivers coho salmon sport fisheries based on inseason weir counts. The Little Susitna River sport fishery has modified by EO in 11 of the last 14 years. This includes closing coho salmon fishing in the last three consecutive years. The Deshka River coho salmon fishery has been modified less frequently inseason by EO in 5 of the last 14 years. Similar to the Little Susitna River, the Deshka River coho salmon sport fishery has been closed in the last three consecutive years.

DEPARTMENT COMMENTS: The department has concerns about being able to consistently

achieve the Deshka and Little Susitna River coho salmon escapement goals and has managed all fisheries conservatively to allow for passage of coho salmon to these and other Northern Cook Inlet drainages. Increased drift gillnet fishing opportunity in years with large Kenai and Kasilof River sockeye salmon runs exacerbates coho salmon conservation efforts. The department supports adoption of regulations that improve coho salmon conservation.

Regulations and catch limits in the federally managed drift gillnet fishery in the Central District affect stocks independent of state management. Impacts of both state and federal fisheries should be evaluated in tandem when considering how coho salmon are managed.

The department is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional direct cost for the department.

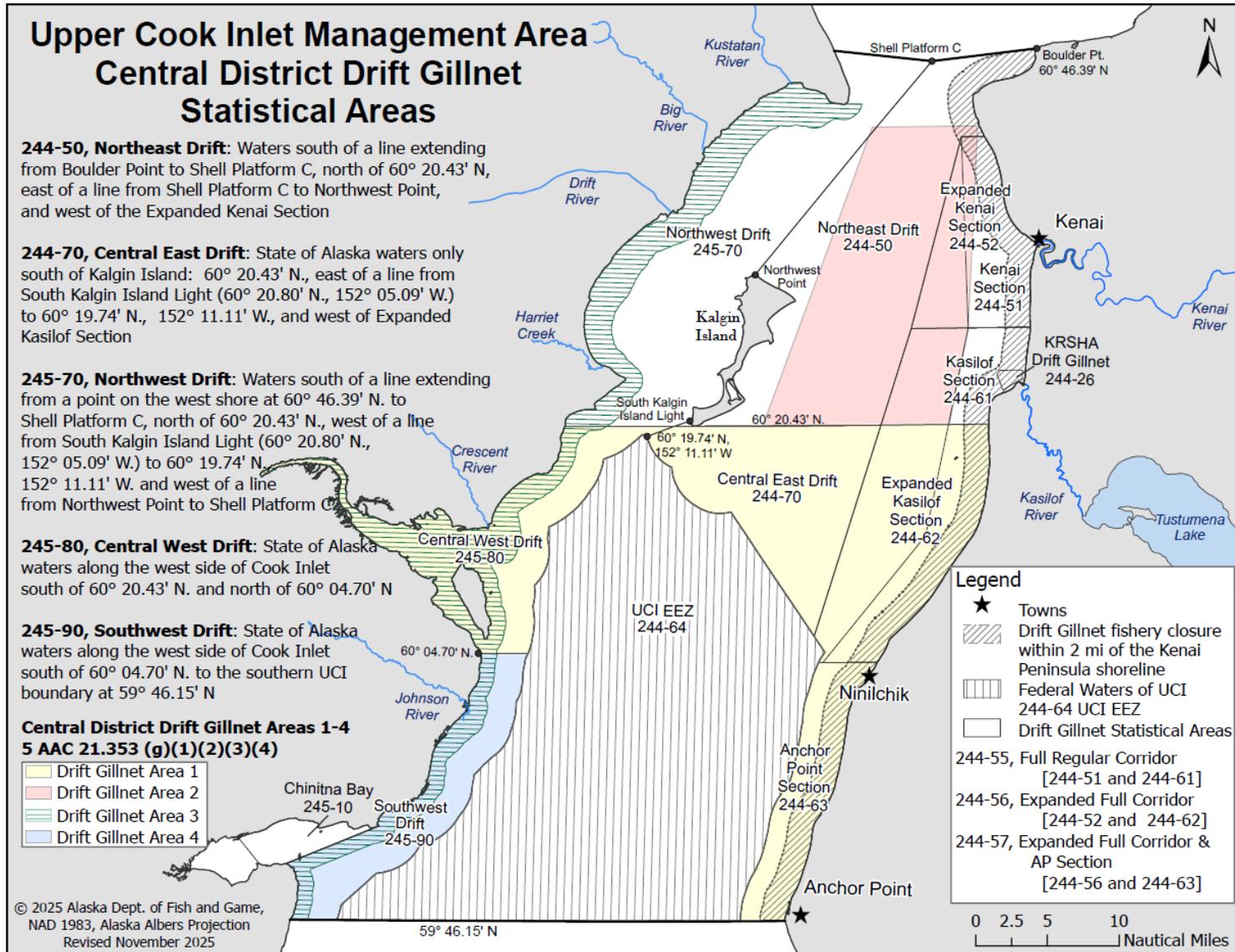


Figure 186-1.—Map of UCI Central District Drift Gillnet Statistical Areas.

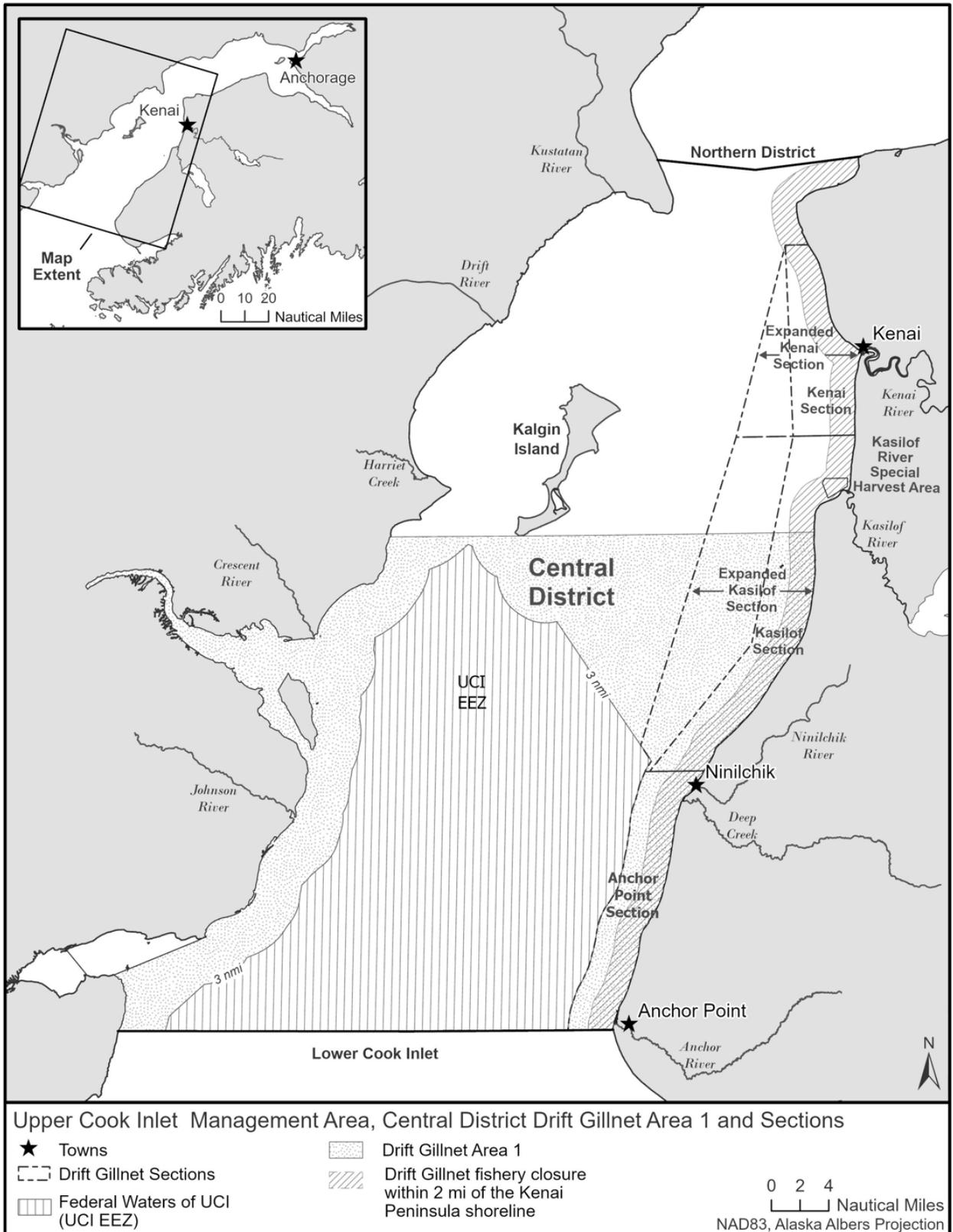


Figure 186-2.—Map of Drift gillnet Area 1, and the Expanded Kenai, Expanded Kasilof, and Anchor Point sections, 2025.

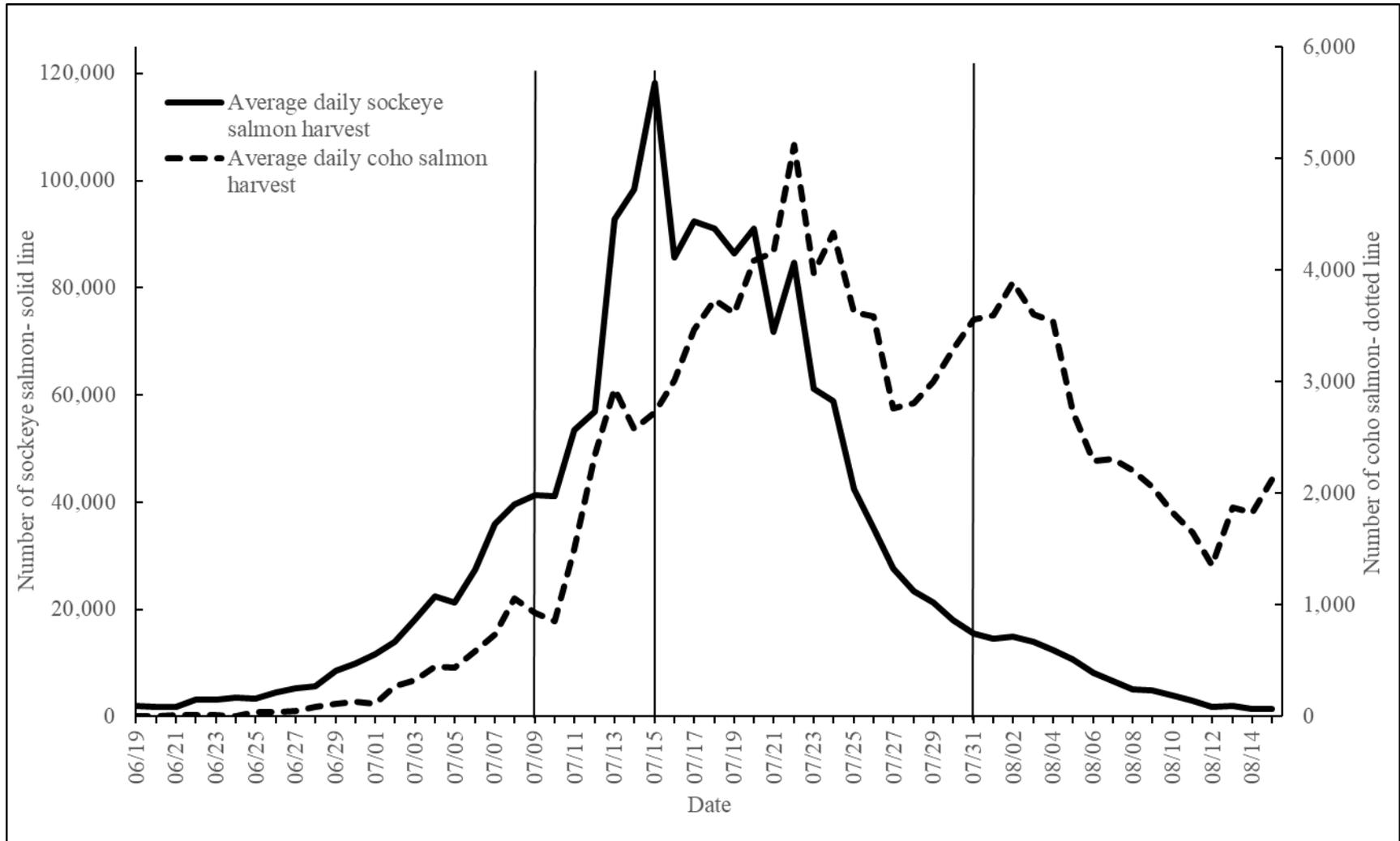


Figure 186-3.— UCI Central District drift gillnet fishery average harvest of sockeye and coho salmon by date, 1999–2024.

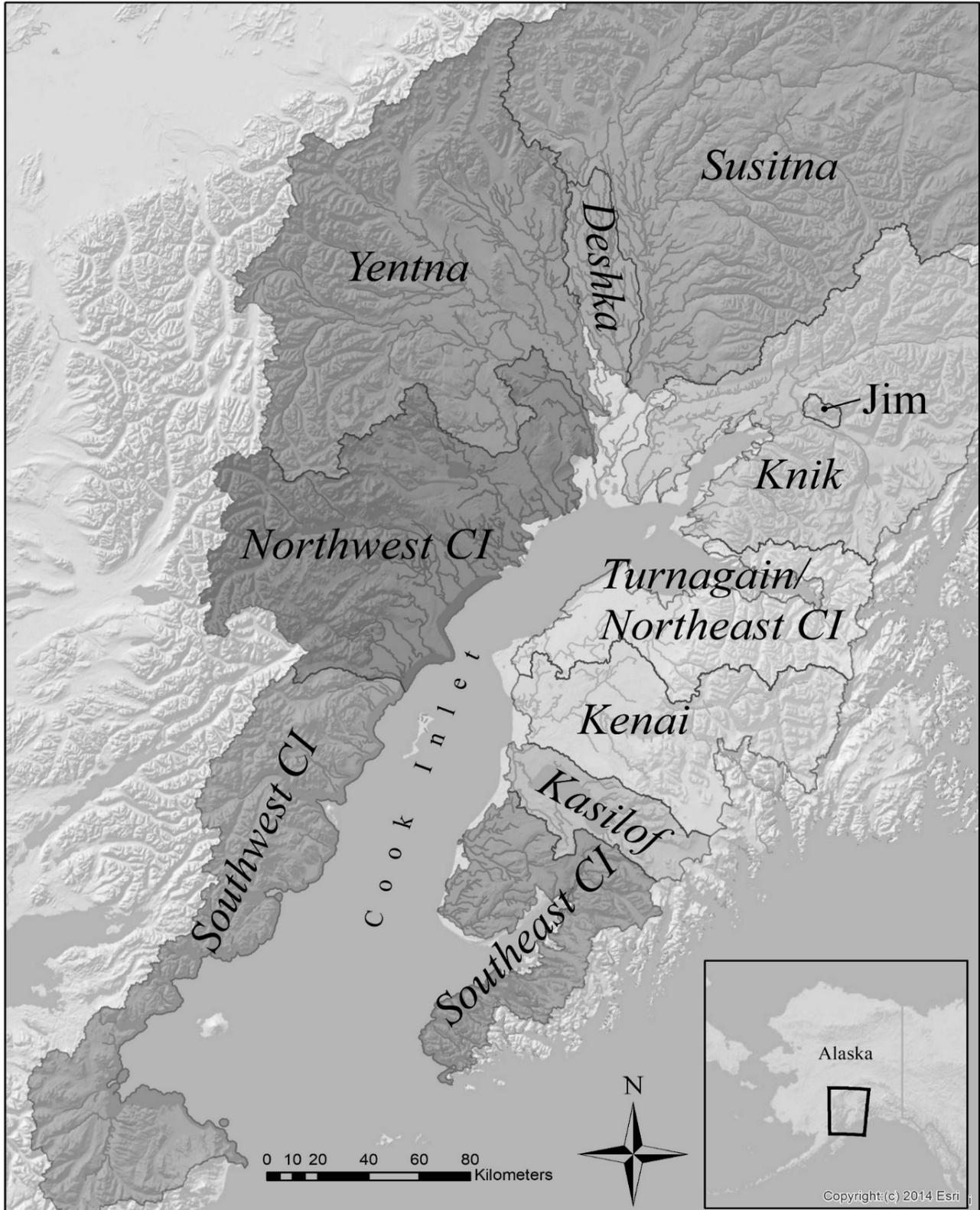


Figure 186-4.—Map of Cook Inlet showing reporting group areas for genetic mixed stock analysis of coho salmon harvest samples.

Table 186-1.—History of season dates, weekly fishing periods, and restrictions in the Central District drift gillnet fishery.

Year	Description
<u>Season Opening/Closing Dates</u>	
1970	June 17 until closed by Emergency Order (EO).
1979	June 25 until closed by EO.
1986	June 25 until closed by EO. However, the fishing season can now open prior to June 25 if certain sockeye salmon passage triggers are met in the Kenai and Kasilof rivers (1986–2004).
1996	June 25 through August 9.
2005	3 rd Monday in June or June 19 (whichever is later). From August 11 until closed by EO, fishery is open in Drift Areas 3 & 4 only.
2008	3 rd Monday in June or June 19 (whichever is later). From August 15 until closed by EO, fishery is open in Drift Areas 3 & 4 only.
<u>Weekly Fishing Periods</u>	
1970	Prior to July 15: Mondays, Wednesdays, and Fridays from 6 a.m. until 6 p.m. After July 15: Mondays, Wednesdays, and Fridays from 6 a.m. until 10 p.m.
1971	Mondays and Fridays from 6 a.m. until 6 p.m.
1985	Mondays and Fridays from 7 a.m. until 7 p.m.
1999	Mondays and Thursdays from 7 a.m. until 7 p.m.
<u>July Restrictions/Tier Restrictions</u>	
1996	The first regular fishing period after July 25 is restricted to the Kenai and Kasilof sections (1996– 1998).
1999	One regular fishing period from July 9–15 is restricted to the Kenai and Kasilof sections (1999– 2004). First regular period before and after July 25 is restricted to either the Kenai and Kasilof sections or the area south of Kalgin Island (1999–2001). Regular period restrictions removed if Kenai River sockeye salmon run strength is great than 4 million fish (1999–2004).
2002	From July 16–31 (2002–2004): two consecutive regular periods are restricted to either or both the Kenai and Kasilof sections or Drift Area 1. However, if Kenai sockeye salmon run strength is greater than 3 million fish, fishing is allowed the first regular period on or before July 25 and the first regular period after July 25 in the Kenai/Kasilof sections, Drift Area 1, and in the area south and east of the north tip of Kalgin Island. If two consecutive fishing restrictions are used during two regular periods from July 16–31, no further restrictions are necessary on the periods before or after July 25. After July 20, if the Kenai sockeye salmon run strength is greater than 4 million fish, the first regular period after July 25 may be fished district wide.
2005	Both regular periods from July 9–15 are restricted to Drift Area 1 and the Kenai/Kasilof sections (2005–2010). From July 16–31, if Kenai River sockeye salmon run strength is: less than 2 million fish, two regular periods restricted to Drift Area 1 and the Kenai/Kasilof sections (2005– 2010); between 2 million and 4 million fish, two regular periods restricted to Drift Areas 1 and 2 and the Kenai/Kasilof sections (2005 through 2010); and greater than 4 million fish, there are no mandatory restrictions (2005–2010).
2011	From July 9–15: 1st regular fishing period restricted to the expanded corridor (Expanded Kenai and Expanded Kasilof sections; 2011–2013); 2nd regular fishing period restricted to Drift Area 1 and the narrow corridor (2011–2013); and additional fishing time is allowed only in the expanded corridor (2011–present). From July 16–31: if the Kenai River sockeye salmon run strength is: less than 2.3 million fish, one period is restricted to the expanded corridor (2011–2013); between 2.3 million and 4.6 million fish, one period per week is restricted to Drift Area 1 and/or the expanded corridor (2011–2013); and greater than 4.6 million fish, there are no mandatory restrictions (2011–2013).

-continued-

Table 186-1.–Page 2 of 2.

Year	Description
<u>July Restrictions/Tier Restrictions</u>	
2014	From July 9–15: 1st and 2nd regular fishing periods restricted to the expanded corridor and Drift Area 1. From July 16–31: if the Kenai River sockeye salmon run strength is: less than 2.3 million fish, all 12-hour fishing periods restricted to the expanded corridor; between 2.3 and 4.6 million fish, one 12-hour period per week is restricted to one or more of the following areas: Drift Area 1, expanded corridor, Anchor Point section; the remaining weekly 12-hour period is restricted to one or more of the following areas: expanded corridor, Anchor Point Section; greater than 4.6 million, one regular 12-hour fishing period per week is restricted to the expanded corridor and the Anchor Point Section; and additional fishing time in this time period is allowed only in the expanded corridor and Anchor Point Section.
2017	From July 16–31: same as 2014, except that for Kenai River sockeye salmon runs of 2.3 to 4.6 million fish, during this time period one Drift Area 1 fishing period may be fished districtwide instead of in Drift Area 1.
2020	From July 16–31: Reverted to same regulations as in 2014 for this time period. From August 1–15: all regular 12-hour fishing periods are restricted to one or more of the following areas: Drift Area 1, expanded corridor, Anchor Point section and additional fishing time in this time period is allowed only in the expanded corridor and Anchor Point Section.
2024	From August 1–15: all regular 12-hour fishing periods are restricted to one or more of the following areas: Drift Area 1, Drift Gillnet Area 3, expanded corridor, Anchor Point sections and additional fishing time in this time period is allowed only in the expanded corridor and Anchor Point section.
<u>One Percent Rule</u>	
2008	The board modified the drift gillnet plan to state that if the ESSN fishery was closed based on the one-percent rule, drift gillnet regular fishing periods from August 11–15 would be restricted to Drift Gillnet Areas 3 and 4.
2014	The board adopted a new drift gillnet one-percent rule (5 AAC 21.353 (e)). The drift rule states that after August 1 drift gillnet regular periods will be restricted to Drift Gillnet Areas 3 and 4, if the drift fleet harvests less than one- percent of their total sockeye salmon harvest for two consecutive fishing periods or if the entire ESSN fishery was closed based on their one-percent rule.
2017	The one-percent rule for the ESSN fishery was modified to begin after August 7.
2020	The one-percent rule for the ESSN fishery was modified to begin after July 31.
2024	With establishment of the federally managed EEZ, the departments determined to evaluate the one percent rule using total harvest of the combined federal and state drift gillnet fisheries.

Table 186-2.– Drift gillnet fishing periods affected by the drift gillnet one-percent rule, 2014–2025.

Year	Restricted by 1%		Dates affected
	Yes	No	
2014	X		8/11; 8/14
2015		X	
2016	X		8/11; 8/15
2017		X	
2018		X	
2019	X		8/15
2020		X	
2021		X	
2022		X	
2023		X	
2024	X		8/8, 8/12, 8/15
2025	X		8/14

Table 186-3.—Upper Cook Inlet drift gillnet commercial harvest of salmon, 1999–2025.

Year	Permits	King	Sockeye	Coho	Pink	Chum	Total
1999	487	575	1,413,995	64,814	3,552	166,612	1,649,548
2000	513	270	656,427	131,478	90,508	118,074	996,757
2001	468	619	846,275	39,418	31,219	75,599	993,130
2002	409	415	1,367,251	125,831	224,229	224,587	1,942,313
2003	420	1,240	1,593,638	52,432	30,376	106,468	1,784,154
2004	441	1,104	2,529,642	199,587	235,524	137,041	3,102,898
2005	472	1,958	2,520,327	144,753	31,230	65,671	2,763,939
2006	396	2,782	784,771	98,473	212,808	59,965	1,158,799
2007	417	912	1,823,481	108,703	67,398	74,836	2,075,330
2008	426	653	983,303	89,428	103,867	46,010	1,223,261
2009	405	859	968,075	82,096	139,676	77,073	1,267,779
2010	379	538	1,587,657	110,275	164,005	216,977	2,079,452
2011	462	593	3,201,035	40,858	15,333	111,082	3,368,901
2012	496	218	2,924,144	74,678	303,216	264,513	3,566,769
2013	496	493	1,662,561	184,771	30,605	132,172	2,010,602
2014	496	382	1,501,678	76,932	417,344	108,345	2,104,681
2015	492	556	1,012,684	130,720	21,653	252,331	1,417,944
2016	468	606	1,266,746	90,242	268,908	113,258	1,739,760
2017	451	264	880,279	191,490	89,963	232,501	1,394,497
2018	446	503	400,269	108,906	83,535	108,216	701,429
2019	422	178	749,101	88,618	27,607	112,518	978,022
2020	364	181	283,727	48,803	293,676	25,223	651,610
2021	343	217	851,913	80,987	67,423	65,391	1,065,931
2022	342	167	893,743	51,306	89,953	92,284	1,127,453
2023	355	110	1,363,839	49,625	57,817	112,838	1,584,229
2024	362	76	1,682,652	11,143	37,637	68,989	1,800,497
2025	418	104	3,515,024	85,311	37,046	108,351	3,745,836
<u>Averages</u>							
2005–2024	425	612	1,367,099	93,140	126,183	117,010	1,704,044
2015–2024	405	286	938,495	85,184	103,817	118,355	1,246,137

Note: Drift gillnet harvest from 2024 to 2025 includes harvest from federal and State of Alaska waters.

Table 186-4.—Upper Cook inlet Drift gillnet commercial harvest of salmon in State of Alaska and Federal waters, 2024 and 2025.

Year and season dates	Area	Permits	No. of periods	King		Sockeye		Coho		Pink		Chum		Total harvest	% of total harvest
				Harvest	%	Harvest	%	Harvest	%	Harvest	%	Harvest	%		
June 20–Aug 15, 2024	SOA waters	353	38	49	64	1,357,815	81	6,704	60	31,387	83	40,184	58	1,436,139	80
	Federal EEZ	259	15	27	36	324,837	19	4,439	40	6,250	17	28,805	42	364,358	20
	Total	362	39	76		1,682,652		11,143		37,637		68,989		1,800,497	
June 19–Sept 5, 2025	SOA waters	410	49	65	63	3,132,220	89	70,283	82	31,027	84	81,565	75	3,315,160	89
	Federal EEZ	289	18	39	38	382,804	11	15,028	18	6,019	16	26,786	25	430,676	11
	Total	418	49	104		3,515,024		85,311		37,046		108,351		3,745,836	

Table 186-5.—Commercial drift gillnet harvest of coho salmon by major stock reporting group based on genetic analysis of mixtures of fish harvested in Upper Cook Inlet, 2013–2016.

Reporting group	Harvest				Average
	2013	2014	2015	2016	
<i>Southwest CI</i>	1,621	334	649	1,364	992
<i>Northwest CI</i>	35,981	11,717	31,341	17,072	24,027
<i>Susitna</i>	37,207	16,593	20,016	17,265	22,770
<i>Deshka</i>	10,094	3,163	2,955	5,487	5,425
<i>Yentna</i>	53,940	14,752	28,023	16,237	28,238
<i>Knik</i>	31,681	14,654	25,856	13,019	21,302
<i>Jim</i>	2,444	696	2,551	1,258	1,737
<i>Turnagain/Northeast CI</i>	6,240	7,937	9,205	7,809	7,798
<i>Kenai</i>	1,590	1,589	2,903	2,255	2,084
<i>Kasilof</i>	237	3	28	549	204
<i>Southeast CI</i>	782	3	572	919	569
Harvest represented	181,818	71,441	124,099	83,234	115,148
Harvest unanalyzed	2,953	5,491	6,621	7,008	5,518
Total harvest	184,771	76,932	130,720	90,242	120,666

Source: Barclay, A. W., E. Chenoweth, and C. Habicht. 2019. Reanalysis of Upper Cook Inlet coho salmon harvest from 2013 to 2016 using an updated genetic baseline. Alaska Department of Fish and Game, Division of Commercial Fisheries, Regional Information Report 5J19-06, Anchorage.

Table 186-6.—S Stock-specific commercial harvest, standard deviation (SD), and 90% credibility intervals calculated using a stratified estimator for combined strata in the Central District drift gillnet (five temporal strata) and Northern District set gillnet (three spatial strata) fisheries and based on genetic analysis of mixtures of coho salmon harvested in the Upper Cook Inlet in 2013.

Area stratum	Reporting group	Harvest	90% CI		SD
			5%	95%	
Central District drift gillnet					
	<i>Southwest</i>	1,621	1,066	2,295	389
	<i>Northwest</i>	35,981	29,874	42,448	3,731
	<i>Susitna</i>	37,207	30,437	44,197	4,108
	<i>Deshka</i>	10,094	6,640	14,125	2,267
	<i>Yentna</i>	53,940	46,388	61,868	4,745
	<i>Knik</i>	31,681	26,175	37,435	3,380
	<i>Jim</i>	2,444	1,142	3,985	876
	<i>Turnagain/Northeast</i>	6,240	2,045	10,771	2,619
	<i>Kenai</i>	1,590	823	2,472	513
	<i>Kasilof</i>	237	0	723	255
	<i>Southeast</i>	782	144	1,607	453
	Harvest represented	181,818			
	Harvest unanalyzed	2,953			
	Total harvest	184,771			
Northern District, Eastern and General subdistricts set gillnet					
	<i>Southwest</i>	30	0	152	59
	<i>Northwest</i>	6,783	5,042	8,694	1,100
	<i>Susitna</i>	5,712	3,875	7,634	1,141
	<i>Deshka</i>	1,449	471	2,539	626
	<i>Yentna</i>	11,667	9,791	13,658	1,149
	<i>Knik</i>	7,685	6,527	8,934	726
	<i>Jim</i>	475	175	855	207
	<i>Turnagain/Northeast</i>	7,932	6,670	9,225	777
	<i>Kenai</i>	513	224	829	187
	<i>Kasilof</i>	0	0	64	34
	<i>Southeast</i>	0	0	77	39
	Harvest represented	42,246			
	Harvest unanalyzed	147			
	Total harvest	42,393			

Source: Barclay, A. W., E. Chenoweth, and C. Habicht. 2019. Reanalysis of Upper Cook Inlet coho salmon harvest from 2013 to 2016 using an updated genetic baseline. Alaska Department of Fish and Game, Division of Commercial Fisheries, Regional Information Report 5J19-06, Anchorage

Note: Stock-specific harvest numbers may not sum to the total harvest due to rounding error.

Table 186-7.—Stock-specific commercial harvest, standard deviation (SD), and 90% credibility intervals calculated using a stratified estimator for combined strata in the Central District drift gillnet (five temporal strata) and Northern District set gillnet (three spatial strata) fisheries and based on genetic analysis of mixtures of coho salmon harvested in the Upper Cook Inlet in 2014.

Area stratum	Reporting group	Harvest	90% CI		SD
			5%	95%	
Central District drift gillnet					
	<i>Southwest</i>	334	144	601	141
	<i>Northwest</i>	11,717	9,742	14,022	1,316
	<i>Susitna</i>	16,593	13,201	20,262	2,168
	<i>Deshka</i>	3,163	1,467	4,920	1,053
	<i>Yentna</i>	14,752	11,651	17,781	1,884
	<i>Knik</i>	14,654	12,425	17,061	1,397
	<i>Jim</i>	696	54	1,387	400
	<i>Turnagain/Northeast</i>	7,937	5,544	10,596	1,541
	<i>Kenai</i>	1,589	1,078	2,178	335
	<i>Kasilof</i>	3	0	118	63
	<i>Southeast</i>	3	0	141	67
	Harvest represented	71,441			
	Harvest unanalyzed	5,491			
	Total Harvest	76,932			
Northern District, Eastern and General subdistricts set gillnet					
	<i>Southwest</i>	0	0	60	28
	<i>Northwest</i>	6,095	4,799	7,456	820
	<i>Susitna</i>	4,847	3,462	6,290	863
	<i>Deshka</i>	0	0	807	386
	<i>Yentna</i>	4,877	3,687	6,085	747
	<i>Knik</i>	9,000	7,980	10,041	629
	<i>Jim</i>	523	262	827	175
	<i>Turnagain/Northeast</i>	8,169	7,135	9,380	704
	<i>Kenai</i>	189	36	393	115
	<i>Kasilof</i>	3	0	78	36
	<i>Southeast</i>	46	1	191	66
	Harvest represented	33,750			
	Harvest unanalyzed	1,375			
	Total harvest	35,125			

Source: Barclay, A. W., E. Chenoweth, and C. Habicht. 2019. Reanalysis of Upper Cook Inlet coho salmon harvest from 2013 to 2016 using an updated genetic baseline. Alaska Department of Fish and Game, Division of Commercial Fisheries, Regional Information Report 5J19-06, Anchorage

Note: Stock-specific harvest numbers may not sum to the total harvest due to rounding error.

Table 186-8.— Stock-specific commercial harvest, standard deviation (SD), and 90% credibility intervals calculated using a stratified estimator for combined strata in the Central District drift gillnet excluding corridor-only periods (five temporal strata), drift gillnet corridor-only periods (one temporal stratum) and Upper Subdistrict set gillnet (one temporal stratum) and Northern District set gillnet (three spatial strata) fisheries and based on genetic analysis of mixtures of coho salmon harvested in the Upper Cook Inlet in 2015.

Area stratum	Reporting group	Harvest	90% CI		SD
			5%	95%	
Central District drift gillnet (excluding corridor-only periods)					
	<i>Southwest</i>	649	151	1,414	386
	<i>Northwest</i>	26,843	23,316	30,473	2,210
	<i>Susitna</i>	16,044	11,650	20,426	2,676
	<i>Deshka</i>	2,448	886	4,153	1,005
	<i>Yentna</i>	20,478	16,481	24,625	2,498
	<i>Knik</i>	18,522	15,768	21,311	1,701
	<i>Jim</i>	1,844	1,110	2,709	485
	<i>Turnagain/Northeast</i>	6,675	4,217	9,231	1,531
	<i>Kenai</i>	2,590	1,760	3,496	525
	<i>Kasilof</i>	28	0	345	147
	<i>Southeast</i>	572	52	1,188	366
	Harvest represented	96,694			
	Harvest unanalyzed	6,007			
	Total Harvest	102,701			
Central District drift gillnet (corridor-only periods)					
	<i>Southwest</i>	0	0	74	50
	<i>Northwest</i>	4,498	2,864	6,338	1,062
	<i>Susitna</i>	3,972	2,013	6,154	1,255
	<i>Deshka</i>	507	0	1,660	696
	<i>Yentna</i>	7,545	5,279	9,808	1,365
	<i>Knik</i>	7,334	5,762	9,106	1,022
	<i>Jim</i>	706	303	1,235	284
	<i>Turnagain/Northeast</i>	2,531	1,358	3,967	797
	<i>Kenai</i>	313	0	754	245
	<i>Kasilof</i>	0	0	69	45
	<i>Southeast</i>	0	0	58	35
	Harvest represented	27,405			
	Harvest unanalyzed	614			
	Total harvest	28,019			

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Area stratum	Reporting group	Harvest	90% CI		SD
			5%	95%	
Central District, Upper Subdistrict set gillnet					
	<i>Southwest</i>	29	0	201	76
	<i>Northwest</i>	2,233	1,167	3,337	649
	<i>Susitna</i>	1,923	576	3,267	808
	<i>Deshka</i>	20	0	495	206
	<i>Yentna</i>	1,659	577	2,859	690
	<i>Knik</i>	3,998	2,879	5,246	728
	<i>Jim</i>	395	167	671	156
	<i>Turnagain/Northeast</i>	2,205	1,449	3,007	480
	<i>Kenai</i>	4,576	3,833	5,331	450
	<i>Kasilof</i>	467	161	843	209
	<i>Southeast</i>	12	0	212	91
	Harvest represented	17,517			
	Harvest unanalyzed	431			
	Total Harvest	17,948			
Northern District, Eastern and General subdistricts set gillnet					
	<i>Southwest</i>	6	0	74	40
	<i>Northwest</i>	7,390	5,434	9,456	1,201
	<i>Susitna</i>	4,271	2,492	6,163	1,123
	<i>Deshka</i>	1,074	0	2,230	687
	<i>Yentna</i>	8,542	6,875	10,234	1,021
	<i>Knik</i>	12,438	10,712	14,215	1,081
	<i>Jim</i>	372	117	705	182
	<i>Turnagain/Northeast</i>	8,519	7,371	9,873	768
	<i>Kenai</i>	303	120	550	132
	<i>Kasilof</i>	100	0	288	99
	<i>Southeast</i>	0	0	131	68
	Harvest represented	43,015			
	Harvest unanalyzed	3,488			
	Total harvest	46,503			

Source: Barclay, A. W., E. Chenoweth, and C. Habicht. 2019. Reanalysis of Upper Cook Inlet coho salmon harvest from 2013 to 2016 using an updated genetic baseline. Alaska Department of Fish and Game, Division of Commercial Fisheries, Regional Information Report 5J19-06, Anchorage

Note: Stock-specific harvest numbers may not sum to the total harvest due to rounding error.

Table 186-9.– Stock-specific commercial harvest, standard deviation (SD), and 90% credibility intervals calculated using a stratified estimator (see text) for combined strata in the Central District drift gillnet excluding corridor-only periods (two temporal strata), drift gillnet corridor-only periods (one temporal stratum) and Upper Subdistrict set gillnet (one temporal stratum) and Northern District set gillnet (three spatial strata) fisheries and based on genetic analysis of mixtures of coho salmon harvested in the Upper Cook Inlet in 2016.

Area stratum	Reporting group	Harvest	90% CI		SD
			5%	95%	
Central District drift gillnet (excluding corridor-only periods)					
	<i>Southwest</i>	667	194	1,346	367
	<i>Northwest</i>	17,072	12,729	21,569	2,701
	<i>Susitna</i>	14,762	10,739	19,072	2,545
	<i>Deshka</i>	4,291	2,385	6,294	1,191
	<i>Yentna</i>	11,136	7,803	14,669	2,081
	<i>Knik</i>	8,101	4,888	11,883	2,185
	<i>Jim</i>	1,230	531	2,050	471
	<i>Turnagain/Northeast</i>	6,053	2,742	9,471	2,036
	<i>Kenai</i>	1,721	1,016	2,578	466
	<i>Kasilof</i>	549	82	1,470	473
	<i>Southeast</i>	501	52	1,508	480
	Harvest represented	66,083			
	Harvest unanalyzed	5,984			
	Total harvest	72,067			
Central District drift gillnet (corridor-only periods)					
	<i>Southwest</i>	696	393	1,041	199
	<i>Northwest</i>	0	0	337	159
	<i>Susitna</i>	2,503	1,408	3,601	670
	<i>Deshka</i>	1,196	567	1,864	387
	<i>Yentna</i>	5,101	4,051	6,185	637
	<i>Knik</i>	4,918	3,903	5,991	634
	<i>Jim</i>	28	0	285	117
	<i>Turnagain/Northeast</i>	1,757	852	2,747	578
	<i>Kenai</i>	533	299	837	166
	<i>Kasilof</i>	0	0	80	42
	<i>Southeast</i>	418	95	824	223
	Harvest represented	17,151			
	Harvest unanalyzed	1,024			
	Total harvest	18,175			

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Area strata	Reporting group	Harvest	90% CI		SD
			5%	95%	
Central District, Upper Subdistrict set gillnet					
	<i>Southwest</i>	120	29	314	101
	<i>Northwest</i>	0	0	350	157
	<i>Susitna</i>	553	0	1,230	413
	<i>Deshka</i>	140	0	602	230
	<i>Yentna</i>	771	100	1,444	395
	<i>Knik</i>	417	0	942	308
	<i>Jim</i>	0	0	34	22
	<i>Turnagain/Northeast</i>	3,469	2,542	4,467	583
	<i>Kenai</i>	5,395	4,746	6,039	393
	<i>Kasilof</i>	21	0	143	57
	<i>Southeast</i>	343	74	654	174
	Harvest represented	11,228			
	Harvest unanalyzed	378			
	Total harvest	11,606			
Northern District, Eastern and General subdistricts set gillnet					
	<i>Southwest</i>	4	0	82	39
	<i>Northwest</i>	4,175	2,985	5,622	784
	<i>Susitna</i>	4,338	2,755	5,801	932
	<i>Deshka</i>	1,578	859	2,361	452
	<i>Yentna</i>	5,014	3,701	6,281	785
	<i>Knik</i>	5,587	4,816	6,405	497
	<i>Jim</i>	188	58	367	100
	<i>Turnagain/Northeast</i>	8,448	7,619	9,280	511
	<i>Kenai</i>	298	140	507	112
	<i>Kasilof</i>	22	0	111	41
	<i>Southeast</i>	17	0	159	71
	Harvest represented	29,669			
	Harvest unanalyzed	780			
	Total harvest	30,449			

Source: Barclay, A. W., E. Chenoweth, and C. Habicht. 2019. Reanalysis of Upper Cook Inlet coho salmon harvest from 2013 to 2016 using an updated genetic baseline. Alaska Department of Fish and Game, Division of Commercial Fisheries, Regional Information Report 5J19-06, Anchorage

Note: Stock-specific harvest numbers may not sum to the total harvest due to rounding error.

Table 186-10.— Stock-specific commercial harvest, standard deviation (SD), coefficient of variation (CV), and 90% credibility intervals calculated using a stratified estimator for combined temporal strata in all fishing area strata and based on genetic analysis of mixtures of coho salmon harvested in the Upper Cook Inlet, 2013–2016.

Year	Reporting Group	Harvest	90% CI		SD	CV	
			5%	95%			
2013	<i>Southwest</i>	1,651	1,089	2,349	393	24%	
	<i>Northwest</i>	42,764	36,614	49,336	3,879	9%	
	<i>Susitna</i>	42,919	35,940	49,962	4,237	10%	
	<i>Deshka</i>	11,543	8,001	15,632	2,352	20%	
	<i>Yentna</i>	65,607	57,889	73,603	4,842	7%	
	<i>Knik</i>	39,366	33,776	45,264	3,456	9%	
	<i>Jim</i>	2,919	1,555	4,475	902	31%	
	<i>Turnagain/Northeast</i>	14,172	9,808	18,917	2,725	19%	
	<i>Kenai</i>	2,103	1,275	3,068	551	26%	
	<i>Kasilof</i>	237	0	725	257	108%	
	<i>Southeast</i>	782	134	1,612	453	58%	
		Harvest represented	224,064				
		Harvest unanalyzed	36,879				
	Total harvest	260,943					
2014	<i>Southwest</i>	334	136	600	144	43%	
	<i>Northwest</i>	17,812	15,452	20,400	1,525	9%	
	<i>Susitna</i>	21,440	17,784	25,283	2,299	11%	
	<i>Deshka</i>	3,163	1,373	4,947	1,108	35%	
	<i>Yentna</i>	19,629	16,240	22,897	2,025	10%	
	<i>Knik</i>	23,654	21,224	26,184	1,500	6%	
	<i>Jim</i>	1,219	523	1,999	437	36%	
	<i>Turnagain/Northeast</i>	16,106	13,508	18,863	1,681	10%	
	<i>Kenai</i>	1,778	1,228	2,410	359	20%	
	<i>Kasilof</i>	6	0	142	73	1259%	
	<i>Southeast</i>	49	0	241	94	191%	
		Harvest represented	105,191				
		Harvest unanalyzed	32,153				
	Total harvest	137,344					

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Table 186-10.—Page 2 of 2.

Year	Reporting Group	Harvest	90% CI		SD	CV
			5%	95%		
2015	<i>Southwest</i>	683	163	1,445	396	58%
	<i>Northwest</i>	40,964	36,526	45,622	2,792	7%
	<i>Susitna</i>	26,210	20,644	31,649	3,332	13%
	<i>Deshka</i>	4,049	1,742	6,490	1,435	35%
	<i>Yentna</i>	38,224	33,074	43,544	3,167	8%
	<i>Knik</i>	42,292	38,458	46,109	2,328	6%
	<i>Jim</i>	3,318	2,379	4,369	605	18%
	<i>Turnagain/Northeast</i>	19,929	16,818	23,118	1,908	10%
	<i>Kenai</i>	7,782	6,611	9,004	725	9%
	<i>Kasilof</i>	595	204	1,124	281	47%
	<i>Southeast</i>	584	24	1,272	383	66%
	Harvest represented	184,631				
	Harvest unanalyzed	31,288				
	Total harvest	215,919				
2016	<i>Southwest</i>	1,488	875	2,261	432	29%
	<i>Northwest</i>	21,246	16,632	26,134	2,951	14%
	<i>Susitna</i>	22,156	17,353	27,070	2,959	13%
	<i>Deshka</i>	7,205	5,004	9,559	1,364	19%
	<i>Yentna</i>	22,022	18,151	26,024	2,420	11%
	<i>Knik</i>	19,023	15,571	22,990	2,317	12%
	<i>Jim</i>	1,446	709	2,348	502	35%
	<i>Turnagain/Northeast</i>	19,727	16,175	23,507	2,255	11%
	<i>Kenai</i>	7,947	6,934	9,059	640	8%
	<i>Kasilof</i>	592	69	1,519	478	81%
	<i>Southeast</i>	1,278	541	2,362	565	44%
	Harvest represented	124,131				
	Harvest unanalyzed	23,337				
	Total harvest	147,468				

Source: Barclay, A. W., E. Chenoweth, and C. Habicht. 2019. Reanalysis of Upper Cook Inlet coho salmon harvest from 2013 to 2016 using an updated genetic baseline. Alaska Department of Fish and Game, Division of Commercial Fisheries, Regional Information Report 5J19-06, Anchorage

Note: Stock-specific harvest numbers may not sum to the total harvest represented due to rounding error.

Table 186-11.–Susitna River drainage mark-recapture abundance estimates for sockeye salmon in 2006–2008, coho salmon 2010–2015, chum salmon 2010–2012, and king salmon 2013–2015.

Species	Return Year	Abundance estimates			Source
		Mainstem Susitna River	Yentna River	Total	
Sockeye salmon	2006	107,000	311,197	418,197	FDS 07-83 ^a
	2007	87,883	239,849	327,732	FDS 11-19 ^b
	2008	70,552	288,988	359,540	FDS 11-12 ^c
Coho salmon	2010	73,640	122,777	196,417	FDS 13-05 ^d
	2011	131,878	84,677	216,555	FDS 16-35 ^e
	2012	90,397	93,919	184,316	FDS 16-52 ^f
	2013	130,026	No data	No data	AEA 2014 ^g
	2014	84,879	73,819	158,698	AEA 2015 ^h
Chum salmon	2015	152,500	110,321	262,821	<i>FDS In prep.</i>
	2010	151,127	205,869	356,996	FDS 13-05 ^d
	2011	1,468,231	283,801	1,752,032	FDS 16-35 ^e
	2012	229,903	99,442	329,345	FDS 16-52 ^f
King salmon	2013	89,463	No data	No data	AEA 2014 ^g
	2014	68,225	22,267	90,492	AEA 2015 ^h
	2015	88,600	48,400	137,000	<i>FDS In prep.</i>

^a Yanusz, R., R. Merizon, D. Evans, M. Willette, T. Spencer, and S. Raborn. 2007. Inriver abundance and distribution of spawning Susitna River sockeye salmon *Oncorhynchus nerka*, 2006. Alaska Department of Fish and Game, Fishery Data Series No. 07-83, Anchorage.

^b Yanusz, R. J., R. A. Merizon, T. M. Willette, D. G. Evans, and T. R. Spencer. 2011. Inriver abundance and distribution of spawning Susitna River sockeye salmon *Oncorhynchus nerka*, 2007. Alaska Department of Fish and Game, Fishery Data Series No. 11-19, Anchorage

^c Yanusz, R. J., R. A. Merizon, T. M. Willette, D. G. Evans, and T. R. Spencer. 2011. Inriver abundance and distribution of spawning Susitna River sockeye salmon *Oncorhynchus nerka*, 2008. Alaska Department of Fish and Game, Fishery Data Series No. 11-12, Anchorage.

^d Cleary, P. M., R. A. Merizon, R. J. Yanusz, and D. J. Reed. 2013. Abundance and spawning distribution of Susitna River chum *Oncorhynchus keta* and coho *O. kisutch* salmon, 2010. Alaska Department of Fish and Game, Fishery Data Series No. 13-05, Anchorage.

^e Cleary, P. M., R. J. Yanusz, J. W. Erickson, D. J. Reed, R. A. Neustel, and N. J. Szarzi. 2016. Abundance and spawning distribution of Susitna River chum *Oncorhynchus keta* and coho *O. kisutch* salmon, 2011. Alaska Department of Fish and Game, Fishery Data Series No. 16-35, Anchorage.

^f Cleary, P. M., R. J. Yanusz, J. W. Erickson, D. J. Reed, R. A. Neustel, and N. J. Szarzi. 2016. Abundance and spawning distribution of Susitna River chum *Oncorhynchus keta* and coho *O. kisutch* salmon, 2011. Alaska Department of Fish and Game, Fishery Data Series No. 16-35, Anchorage.

^g LGL and ADF&G (LGL Research Associates, Inc. and Alaska Department of Fish and Game, Division of Sport Fish). 2014. Salmon escapement study, Study plan Section 9.7:Initial Study Report–Part A: Sections 1-6, 8-10 (SuWa223). Alaska Energy Authority, Susitna-Watana Hydroelectric Project, Anchorage.

^h AEA 2015: LGL and ADF&G (LGL Research Associates, Inc. and Alaska Department of Fish and Game, Division of Sport Fish). 2015. Salmon Escapement Study, Study Plan Section 9.7, Study Completion Report. (SuWa289). Alaska Energy Authority, Susitna-Watana Hydroelectric Project, Anchorage.

Table 186-12.—History of Kenai River sockeye salmon personal use, educational, and sport harvest and escapement goals.

Year	Personal use and educational harvest ^a	Sport harvest below sonar	Kenai River sonar count ^c	Sport harvest above sonar	Total Sport Harvest	Total Inriver Harvest	Spawning escapement	Actual run size (millions)	Inriver goal (thousands)	BEG/SEG (thousands)	OEG (thousands)
2005	300,105	58,017	1,376,452	254,818	312,835	612,940	1,121,634	5.6	850-1,100	500-800	500-1,000
2006	130,486	30,964	1,499,692	172,638	203,602	334,088	1,327,054	2.5	750-950	500-800	500-1,000
2007	293,941	60,623	867,572	265,718	326,341	620,282	601,854	3.4	750-950	500-800	500-1,000
2008	236,355	46,053	614,946	208,526	254,579	490,934	406,420	2.3	650-850	500-800	500-1,000
2009	343,302	45,868	745,170	241,999	287,867	631,169	503,171	2.4	650-850	500-800	500-1,000
2010	393,317	59,651	970,662	256,624	316,275	709,592	714,038	3.3	750-950	500-800	500-1,000
2011	543,043	92,225	1,599,217	318,542	410,767	953,810	1,280,675	6.2	1,100-1,350	700-1,200	700-1,400
2012	530,128	102,376	1,581,555	368,720	471,096	1,001,224	1,212,835	4.7	1,100-1,350	700-1,200	700-1,400
2013	350,302	78,837	1,359,893	379,685	458,522	808,824	980,208	3.5	1,000-1,200	700-1,200	700-1,400
2014	384,018	78,057	1,520,340	301,998	380,055	764,073	1,218,342	3.3	1,000-1,200	700-1,200	700-1,400
2015	384,095	83,112	1,709,051	309,004	392,116	776,211	1,400,047	3.9	1,000-1,200	700-1,200	700-1,400
2016	266,506	79,465	1,383,692	263,704	343,169	609,675	1,119,988	3.5	1,000-1,350	700-1,200	700-1,400
2017	308,017	67,233	1,308,498	237,434	304,667	612,684	1,071,064	4.6	1,000-1,300	700-1,200	Repealed
2018	173,609	41,122	1,035,761	149,000	190,122	363,731	886,761	1.6	900-1,100	700-1,200	
2019	338,952	103,700	1,849,054	392,023	495,723	834,675	1,457,031	3.9	1,000-1,300	700-1,200	
2020	259,282	62,665	1,814,252	208,625	271,290	530,572	1,605,627	2.5	1,000-1,200	750-1,300	
2021	335,396	138,740	2,441,825	435,535	574,275	909,671	2,003,373	3.8	1,000-1,200	750-1,300	
2022	288,453	100,802	1,570,395	364,392	465,194	753,647	1,203,196	2.5	1,000-1,400	750-1,300	
2023	334,051	127,425	2,343,976	458,560	585,985	920,036	1,882,901	3.8	1,000-1,400	750-1,300	
2024	344,536	138,072	1,926,350	551,675	689,747	1,034,283	1,374,675	3.9	1,000-1,400	750-1,300	
2025 ^c	ND	ND	4,252,497	ND	ND	ND	3,848,740	8.0	1,100-1,600	750-1,300	
5-year averages											
2015-2019	294,236	74,926	1,457,211	270,233	345,159	639,395	1,186,978	3.5			
2020-2024	312,344	113,541	2,019,360	403,757	517,298	829,642	1,613,954	3.3			

Note: ND = no data available. Bold font = the escapement goal for management. Shading = that the goal was achieved. Outlined = below minimum bound of escapement goal

^a From 1999 to present, Personal use harvest is from Kenai River dipnet fishery and the educational harvest is from the Kenaitze Educational fishery after July 1.

^b Bendix sonar counts for 1999-2010; DIDSON counts beginning in 2011.

^c Kenia River sonar count and run size are preliminary. Upstream sport fishery harvest is estimated using the recent 5-year average.

Table 186-13.—Estimated escapement, and escapement goals (BEG, OEG) for sockeye salmon in the Kasilof River, 2005–2025.

Year	Escapement	BEG/OEG	Goal Range	Result
2005	348,012	BEG	150,000–250,000	Above
2006	368,092	OEG	150,000–300,000	Above
2007	336,866	BEG	150,000–250,000	Above
2008	301,469	OEG	150,000–300,000	Above
2009	297,125	OEG	150,000–300,000	Within
2010	267,013	BEG	150,000–250,000	Above
2011 ^a	245,721	BEG	160,000–340,000	Within
2012	374,523	BEG	160,000–340,000	Above
2013	489,654	BEG	160,000–340,000	Above
2014	439,997	BEG	160,000–340,000	Above
2015	470,677	BEG	160,000–340,000	Above
2016	239,981	BEG	160,000–340,000	Within
2017	358,724	OEG	160,000–390,000	Within
2018	394,309	OEG	160,000–390,000	Above
2019	378,416	BEG	160,000–340,000	Above
2020	545,654	BEG	140,000–320,000	Above
2021	521,859	BEG	140,000–320,000	Above
2022	968,148	BEG	140,000–320,000	Above
2023	932,896	BEG	140,000–320,000	Above
2024	1,048,092	BEG	140,000–320,000	Above
2025	1,197,471	BEG	140,000–320,000	Above
<u>5-year averages</u>				
2015–2019	368,421			
2020–2024	803,330			

Note: Shading indicates the goal was not achieved.

Table 186-14.–Northern Cook Inlet sockeye salmon escapements and goal ranges, 2005–2025.

Year	Larson Lake		Chelatna Lake		Judd Lake		Fish Creek	
	Escapement goal	Escapement estimate ^a						
2005	ND	9,955	ND	ND	ND	ND	20,000 - 70,000	14,215
2006	ND	57,411	ND	ND	ND	40,633	20,000 - 70,000	32,566
2007	ND	47,924	ND	ND	ND	57,251	20,000 - 70,000	27,948
2008	ND	34,595	ND	74,469	ND	53,681	20,000 - 70,000	19,339
2009	15,000 - 50,000	40,933	20,000 - 65,000	17,703	25,000 - 55,000	44,616	20,000 - 70,000	83,477
2010	15,000 - 50,000	20,324	20,000 - 65,000	37,784	25,000 - 55,000	18,446	20,000 - 70,000	126,829
2011	15,000 - 50,000	12,190	20,000 - 65,000	70,353	25,000 - 55,000	39,984	20,000 - 70,000	66,678
2012	15,000 - 50,000	16,566	20,000 - 65,000	36,736	25,000 - 55,000	18,715	20,000 - 70,000	18,813
2013	15,000 - 50,000	21,821	20,000 - 65,000	70,555	25,000 - 55,000	14,088	20,000 - 70,000	18,912
2014	15,000 - 50,000	12,040	20,000 - 65,000	26,212	25,000 - 55,000	22,416	20,000 - 70,000	43,915
2015	15,000 - 50,000	23,176	20,000 - 65,000	69,897	25,000 - 55,000	47,934	20,000 - 70,000	102,296
2016	15,000 - 50,000	14,313	20,000 - 65,000	67,836	25,000 - 55,000	ND	20,000 - 70,000	46,202
2017	15,000 - 35,000	31,866	20,000 - 45,000	26,986	15,000 - 40,000	35,731	15,000 - 45,000	61,469
2018	15,000 - 35,000	23,444	20,000 - 45,000	20,437	15,000 - 40,000	30,844	15,000 - 45,000	71,556
2019	15,000 - 35,000	9,699	20,000 - 45,000	26,303	15,000 - 40,000	44,145	15,000 - 45,000	76,031
2020	15,000 - 35,000	12,018	20,000 - 45,000	ND	15,000 - 40,000	31,220	15,000 - 45,000	64,234
2021	15,000 - 35,000	21,987	20,000 - 45,000	ND	15,000 - 40,000	49,250	15,000 - 45,000	22,271
2022	15,000 - 35,000	17,436	20,000 - 45,000	ND	15,000 - 40,000	38,442	15,000 - 45,000	58,351
2023	15,000 - 35,000	38,069	20,000 - 45,000	ND	15,000 - 40,000	ND	15,000 - 45,000	44,764
2024	15,000 - 35,000	16,133	20,000 - 45,000	ND	15,000 - 40,000	ND	15,000 - 45,000	37,943
2025	15,000 - 35,000	32,904	20,000 - 45,000	59,163	15,000 - 40,000	ND	15,000 - 45,000	42,573

Note: Shading = the escapement goal was achieved. Outlined = below minimum bound of escapement goal. ND = No data

^a Enumeration estimates prior to 2025 reflect minor adjustments to the escapement database.

Table 186-15.—Estimated sport harvest and passage or escapement of coho salmon in the Little Susitna River, Fish Creek, Jim Creek, and Deshka River, 2003–2025.

Year	Little Susitna			Fish Creek			Jim Creek			Deshka River		
	Harvest	Passage	SEG	Harvest	Passage	SEG	Harvest ^a	Escapement ^b	SEG	Harvest	Passage	SEG
2003	13,672	10,877	10,100–17,700	112	1,231	1,200–4,400	6,415	1,421	400–700	4,946	17,305	—
2004	15,307	40,199	10,100–17,700	774	1,415	1,200–4,400	11,766	4,652	400–700	4,440	62,940	—
2005	10,203	16,839 ^c	10,100–17,700	535	3,011	1,200–4,400	10,114	1,464	400–700	3,616	47,887	—
2006	12,399	8,786 ^c	10,100–17,700	281	4,967	1,200–4,400	19,259	2,389	400–700	6,042	59,419	—
2007	11,089	17,573	10,100–17,700	120	6,868	1,200–4,400	11,848	725	400–700	2,550	10,575	—
2008	13,498	18,485	10,100–17,700	993	4,868	1,200–4,400	17,545	1,890	400–700	3,426	12,724	—
2009	8,346	9,523	10,100–17,700	1,178	8,214	1,200–4,400	11,573	1,331	400–700	4,060	27,348	—
2010	10,662	9,214	10,100–17,700	805	6,977	1,200–4,400	8,442	242	400–700	5,690	10,393	—
2011	2,452	4,826	10,100–17,700	414	1,428	1,200–4,400	3,132	261	400–700	2,282	7,326	—
2012	1,681	6,779 ^c	10,100–17,700	274	1,237	1,200–4,400	1,858	213	400–700	1,358	6,825	—
2013	5,229	13,583 ^c	10,100–17,700	356	7,593	1,200–4,400	3,258	663	400–700	2,658	22,141	—
2014	6,922	24,211	10,100–17,700	622	10,283	1,200–4,400	3,045	122	400–700	2,598	11,578	—
2015	8,880	12,756	10,100–17,700	2,041	7,912	1,200–4,400	2,910	571	450–1,400	745	10,775	—
2016	4,361	10,049	10,100–17,700	496	2,484	1,200–4,400	1,343	106	450–1,400	1,528	6,820	—
2017	3,068	17,781	10,100–17,700	358	8,966	1,200–4,400	750	607	450–1,400	2,825	36,869	10,200–24,100
2018	6,663	7,583 ^c	10,100–17,700	1,915	5,022	1,200–4,400	2,924	758	450–1,400	3,169	12,962	10,200–24,100
2019	3,167	4,229 ^c	10,100–17,700	892	3,025	1,200–4,400	2,856	162	450–1,400	1,578	10,445	10,200–24,100
2020	2,557	9,779	9,200–17,700	1,916	4,555	1,200–6,000	2,404	735	250–700	1,953	5,368 ^c	10,200–24,100
2021	3,560	10,229 ^c	9,200–17,700	297	6,462	1,200–6,000	3,082	1,499	250–700	2,248	3,431 ^c	10,200–24,100
2022	2,114	2,792 ^c	9,200–17,700	533	ND	1,200–6,000	3,717	1,899	250–700	1,936	3,137 ^c	10,200–24,100
2023	1,093	2,949 ^c	9,200–17,700	124	1,534	1,200–6,000	2,691	378	250–700	543	1,817 ^c	10,200–24,100
2024	439	964 ^c	9,200–17,701	102	235	1,200–6,001	1,291	376	250–701	741	647 ^c	10,200–24,101
2025	ND	4,553	9,200–17,702	ND	3,398	1,200–6,002	ND	482	250–702	ND	3,869 ^c	10,200–24,102
<u>Averages</u>												
2005–2024	5,919	13,420		713	5,034		5,702	820		2,577	19,606	
2015–2024	3,590	12,591		867	4,466		2,397	709		1,727	15,574	

Note: Shading = the escapement goal was achieved. Outlined = below minimum bound of escapement goal. ND = No data

^a Includes other Knik River tributaries.

^b Escapement is a foot index survey of a section of McRoberts Creek, a tributary of the Jim Creek drainage.

^c Incomplete count.

Table 186-16.— Estimated sport harvest of coho salmon in the Northern Cook Inlet Management Area, 1990—2025.

Year	Knik Arm	Eastside Susitna	Westside Susitna	West Cook Inlet	Total harvest
1990	18,762	11,743	13,883	6,016	50,404
1991	22,186	19,479	20,507	8,253	70,425
1992	25,814	33,790	16,218	7,037	82,859
1993	35,763	26,063	15,454	10,326	87,606
1994	28,539	20,870	15,361	8,247	73,017
1995	20,650	19,165	17,148	8,182	65,145
1996	24,874	24,174	17,375	11,430	77,853
1997	11,773	10,297	7,123	6,492	35,685
1998	23,750	23,086	13,235	8,160	68,231
1999	14,429	23,292	17,995	9,339	65,055
2000	32,530	37,748	23,262	11,712	105,252
2001	30,106	26,617	19,221	13,949	89,893
2002	44,448	27,183	14,144	13,380	99,155
2003	24,583	18,585	16,072	14,239	73,479
2004	34,298	20,484	17,785	16,179	88,746
2005	27,000	17,471	18,266	12,572	75,309
2006	39,953	22,719	20,474	11,940	95,086
2007	27,733	13,464	14,065	12,580	67,842
2008	35,996	24,211	15,126	14,673	90,006
2009	37,271	15,335	14,464	9,801	76,871
2010	26,369	14,291	16,245	9,030	65,935
2011	8,484	9,040	12,483	6,292	36,299
2012	5,014	7,629	9,434	7,813	29,890
2013	12,335	12,989	13,042	7,698	46,064
2014	16,180	12,462	12,972	7,320	48,934
2015	17,800	15,043	14,191	12,849	59,883
2016	7,962	5,939	4,022	6,015	23,979
2017	6,232	12,838	10,759	4,828	34,657
2018	14,429	9,728	15,093	8,554	47,804
2019	9,369	8,308	11,373	10,001	39,051
2020	8,682	8,830	5,283	6,937	29,732
2021	7,870	14,069	10,879	7,572	40,262
2022	6,945	6,722	8,573	3,995	26,236
2023	5,239	3,222	3,766	5,791	28,885
2024	1,849	1,052	2,308	3,130	26,770
2025	ND	ND	ND	ND	ND
<u>Averages</u>					
1990–2004	26,167	22,838	16,319	10,196	75,520
2005–2024	16,136	11,768	11,641	8,470	49,475
2015–2024	8,638	8,575	8,625	6,967	35,726

Note: ND = No data.

PROPOSAL 187 – 5 ACC 30.320. Fishing Periods, 5 ACC 30.331 Gillnet specifications and operations; and 5 AAC 30.350. Closed waters.

PROPOSED BY: Dan Ernhart.

WHAT WOULD THE PROPOSAL DO? This would close the Tsiu River and all waters within one quarter mile of the Tsiu River and Kaliakh River confluence to commercial fishing for salmon.

WHAT ARE THE CURRENT REGULATIONS? Setnets are the only commercial gear allowed to fish in the Tsiu and Kaliakh Rivers. 5 AAC 30.320 specifies commercial fishing periods in the Yakataga District. Commercial fishing time on the Tsiu River is restricted to two 12-hour periods per week from 09:00 a.m. Sunday to 09:00 a.m. Monday and from 09:00 a.m. Tuesday to 09:00 a.m. Wednesday and in open waters south of lat 60°05.34'N and west of long 143°03.66'W to the mouth and one-half mile of the river's mouth in the surfline. By regulation, the Kaliakh River is open for 72 hours per week from Sunday 9:00 a.m. to Wednesday 9:00 a.m. unless fishing time is modified by emergency order for the rest of the district in the waters from marker 500 yards below Chiuki River (Stink Creek) to within one-half mile of the river's mouth in the surf line. 5 AAC 30.331 establishes fishing area and gear restrictions. Setnets may not exceed 15 fathoms in length in the Tsiu River rather than the 25 fathoms allowed for most other systems in the Yakutat Area, including the Kaliakh River. Similarly, for the Tsiu River a commercial set gillnet may not obstruct more than 1/2 of the waterway compared to two-thirds of the waterway for other systems, including the Kaliakh River. Closed waters for the Tsiu and Tsiuat Rivers include the area north of lat 60°05.34'N and west of long 143°03.66'W (5AAC 30.350). Kaliakh River closed waters are upstream of a marker 500 yards below Chiuki River (Stink Creek).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The Tsiu River and majority of the fishable area of the Kailakh River would be closed to commercial fishing. This could increase coho salmon escapement, reduce commercial harvest and effort, and make more coho salmon available to anglers.

BACKGROUND: Historically, commercial salmon fishing occurred in both the Tsiu and Kaliakh Rivers. These rivers are very remote with no road access. The Tsiu River had very limited access by sea and the only means to effectively transport commercial harvest was by air. The Kalikah River is a larger system that can be accessed by sea with the right ocean and river conditions. Due primarily to lack of air services, the Tsiu River has received only sporadic commercial fishing effort in recent years. From 1985 through 2024, commercial coho salmon harvest from the Tsiu River averaged over 33,500 fish and in 2025, 2,337 fish were commercially harvested, which was well below the historical harvest levels. The Kaliakh River has historically received less consistent effort and harvest, but since 2018 it has been consistently fished with an average commercial harvest of over 10,100 coho salmon (Table 187-1).

The department monitors coho salmon escapement in the Tsiu River on an annual basis and the sustainable escapement goal of 10,000 to 29,000 fish has been met most years escapement was monitored. In the 41 years from 1985 through 2025, escapement was achieved in 33 years; for the remaining 8 years, it is unclear if escapement was achieved as either no surveys or no peak surveys were flown due to poor weather or lack of air carrier service (Table 187-1).

The mouth of the Kaliakh River has steadily progressed northwest and in 2024, both the Tsiu River and the Kaliakh River shared a mouth. In 2025, the Kaliakh River overtook the Tsiu River, effectively making the Tsiu River a tributary of the Kaliakh River and increasing access to the Tsiu River by sea.

For most of the 2025 season, the department used emergency order authority to restrict commercial fishing area at the confluence of the Tsiu and Kaliakh Rivers to better focus fishing effort on the Kaliakh River fish when only the Kaliakh River was open. Commercial fishing occurred within each river in 2025: 2,337 fish were commercially harvested from the Tsiu River and the Kaliakh River harvest was 18,800 fish. Since some of the harvest occurred at or near the confluence of the two rivers, likely a portion of the Tsiu coho harvest was comprised of Kaliakh River origin fish and conversely a portion of the Kaliakh River harvest was comprised of Tsiu River fish.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The Yakataga area is a geographically dynamic area where changes in river course occur often. The department uses emergency order authority to adjust to these changes and believes this is an adaptive approach that has been successful. The merging of the Kaliakh and Tsiu Rivers may not last because the Kaliakh River could breach the berm and enter the ocean many miles away from the Tsiu River, as it once did. The department monitors escapement to the Tsiu River and, considering the total harvest from these two systems is well below historical levels, the department does not have any conservation concerns.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 187-1. Tsiu and Kaliakh Rivers coho salmon commercial harvest and effort, and Tsiu River escapement, 1985–2025.

Year	Tsiu River				Kaliakh River			Total harvest	% Tsiu
	Permits fished	Days Open	Harvest	Escapement ^a	Permits fished	Days open	Harvest		
1985	39	20	63,922	32,050	25	21	22,809	86,731	74
1986	44	11	21,193	14,100	37	27	10,891	32,084	66
1987	41	15	35,297	NPS	29	24	15,923	51,220	69
1988	42	20	56,116	16,000	20	28	8,867	64,983	86
1989	26	19	62,939	26,000	13	49	16,858	79,797	79
1990	31	13	33,827	10,725	23	46.5	13,731	47,558	71
1991	24	31	38,329	14,100	10	47.5	4,379	42,708	90
1992	25	25	92,290	26,500	6	48.5	4,138	96,428	96
1993	22	20	56,736	15,000	10	49	7,980	64,716	88
1994	27	41	64,135	50,000	9	70	7,611	71,746	89
1995	12	29	50,399	22,000	0	55	0	50,399	100
1996	8	38.5	35,697	20,000	2	51	652	36,349	98
1997	17	35	58,647	17,000	1	53	1,711	60,358	97
1998	26	24	70,955	12,000	3	55.5	1,615	72,570	98
1999	31	30.5	61,483	NPS	1	27	795	62,278	99
2000	23	21.5	59,075	12,000	0	21	0	59,075	100
2001	11	51	31,734	17,000	0	62	0	31,734	100
2002	0	48	0	31,000	0	60	0	0	–
2003	0	22	0	35,000	0	36	0	0	–
2004	2	55.5	3,512	NPS	1	62	2,258	5,770	61
2005	8	25	25,429	10,600	0	36	0	25,429	100
2006	12	25	26,438	14,200	2	36	2,258	28,696	92
2007	12	12	22,318	14,000	3	26	3,562	25,880	86
2008	10	27	49,292	25,200	1	27	230	49,522	100
2009	10	23.5	43,723	28,000	0	33	0	43,723	100
2010	19	21	77,780	11,000	2	30	330	78,110	100
2011	20	16	34,360	21,000	0	30	0	34,360	100
2012	13	12	45,821	11,000	0	27	0	45,821	100
2013	13	27	44,887	47,000	0	30	0	44,887	100
2014	9	20	37,613	27,000	0	30	0	37,613	100
2015	6	31	16,968	19,500	0	33	0	16,968	100
2016	3	29	11,243	31,000	0	27	0	11,243	100
2017	2	6	509	38,000	0	27	0	509	100
2018	4	24.5	2,077	48,600	4	31.5	5,856	7,933	26
2019	0	8	0	NPS	5	30	22,838	22,838	0
2020	4	33.5	3,056	56,000	4	33.5	10,341	13,397	23
2021	5	18	5,650	NPS	5	33.5	4,843	10,493	54
2022	0	18.5	0	NPS	2	35.5	2,121	2,121	0
2023	0	20	0	No survey	3	30	7,953	7,953	0
2024	0	20	0	No survey	3	30	8,442	8,442	0
2025	5	22	2,337	17,200	5	33	18,823	21,160	11
Average									
2015–2024	2	21	3,804	35,050	3	31	6,239	10,190	40
1985–2014	15	25	33,586	24,143	6	38	4,725	38,311	77

Note: NPS = no peak survey

^aThe sustainable escapement goal for the Tsiu River is 10,000 to 29,000 coho salmon.

DIPNET GEAR DEFINITION (1 PROPOSAL)

PROPOSAL 175 – 5 AAC 39.105. Types of legal gear.

PROPOSED BY: Ahtna Intertribal Resource Commission.

WHAT WOULD THE PROPOSAL DO? This would reduce the maximum allowable dip net mesh size from 4.5 inches to 3.5 inches for subsistence, commercial, and personal use fisheries statewide. Additionally, this would prohibit the use of a rope attached to the handle which is used to extend the reach of a dipnet or stabilize it in the water.

WHAT ARE THE CURRENT REGULATIONS? The majority of fisheries that allow dip nets as a gear type, reference the general provisions definition found in 5 AAC 39.105(d)(24), which defines a dip net as:

- a dip net is a bag-shaped net supported on all sides by a rigid frame; the maximum straight-line distance between any two points on the net frame, as measured through the net opening, may not exceed five feet; the depth of the bag must be at least one-half of the greatest straight-line distance, as measured through the net opening; no portion of the bag may be constructed of webbing that exceeds a stretched measurement of 4.5 inches; the frame must be attached to a single rigid handle and be operated by hand.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The effects of this proposal will vary by fishery and target species and would require commercial and subsistence dipnet gear to be modified. A smaller proportion of fish caught would be entangled or gilled within the mesh. If adopted, this would require all participants in dip net fisheries that are utilizing a mesh size larger than the proposed maximum, to obtain new webbing to participate. It is unknown if the proposed maximum mesh size would increase the survivability of king salmon released from dipnets. This may change catch rate of target species (either increase or decrease) depending on the species being targeted.

Prohibition of using a line to support the net would likely result in decreased participation, efficiency, and harvest, because less physically able participants would not be able to hold an unattached net.

BACKGROUND: Dip nets are legal gear in various subsistence, commercial, and personal use fisheries statewide. Prior to 1988, there were no restrictions on dip net mesh size. In 1988, the board adopted the current statewide regulation limiting mesh size to a maximum of 4.5 inches. This regulation was adopted in response to staff and public observation indicating more fish were “gilled” than “dipped” when larger mesh was used. At that time, the board agreed that smaller mesh should be used to ensure fish were dipped. Dip nets allow selective harvest and are widely used as a conservation tool for salmon in the Norton Sound, Yukon, and Kuskokwim Areas to maintain subsistence fishing opportunities.

In boat-based dip net fisheries for salmon, it is common practice to utilize a line that is affixed to the boat and to the net handle to support the weight of the net against the current and assists in retrieval of the net. The only operational regulation currently in statute is that the dip net must be operated by hand. The interpretation of “operated by hand” varies across fisheries for what operational practices are allowed in dip net fisheries.

DEPARTMENT COMMENTS: The department is **OPPOSED** to modifying the maximum mesh size in dip nets because a 4.5-inch mesh size is sufficient to reduce incidental mortality of nontarget salmon. The department is **OPPOSED** to restricting the attachment of dip nets to a vessel without a known conservation or management benefit. The proposal is ambiguous in the description of how the line attaching the dip net to the boat would be restricted, and the department recommends the board clarify if adopted. The proposed changes to gear represent restrictions to subsistence. To meet the board’s statutory responsibility to the subsistence law, it should consider whether subsistence regulations continue to provide a reasonable opportunity for subsistence uses if this proposal is adopted.

COST ANALYSIS: Approval of this proposal is expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? While the majority of fish stocks occur outside nonsubsistence areas (NSAs), some fish stocks pass through NSAs and some are taken within NSAs.
2. Is the stock customarily and traditionally taken or used for subsistence? Yes. The board has made many positive customary and traditional use findings for fish stocks outside nonsubsistence areas throughout the state.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has made many findings of amounts reasonably necessary for subsistence outside of NSAs for salmon stocks throughout the state.
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? This is a board determination.

COMMITTEE OF THE WHOLE—GROUP 3: HATCHERIES **(3 PROPOSALS)**

PROPOSAL 170 – 5 AAC 40.XXX New Regulation.

PROPOSED BY: Fairbanks Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would reduce the number of pink and chum salmon eggs on each hatchery permit in the state by 25%.

WHAT ARE THE CURRENT REGULATIONS? Private nonprofit (PNP) hatchery egg-take levels are specified on permits issued by the department. Primary authority over issuance of hatchery permits and hatchery operation regulations is vested in the commissioner and department. There are several interrelated statutory authorities relating to hatchery production levels (AS 16.10.400–16.10.430).

The board may, after the issuance of a permit by the commissioner, amend by regulation, the terms of the permit relating to the source and number of salmon eggs, the harvest of fish by hatchery operators, and the specific locations designated by the department for harvest. The board may not adopt any regulations or take any action regarding the issuance or denial of any permits required in AS 16.10.400–16.10.470 (AS 16.10.440).

Each salmon enhancement region has a Comprehensive Salmon Enhancement Plan, approved by the commissioner, that outlines production goals by species, area, and time (AS 16.10.375; 5 AAC 40.340–370).

PNP hatcheries operate under four permitting documents issued by the department: *PNP hatchery permit*, *basic management plan* (BMP), *fish transport permits* (FTP), and *annual management plans* (AMP). Each of these documents is approved by the commissioner.

The *PNP hatchery permit* (AS 16.10.400–16.10.470) authorizes operation of the hatchery and specifies the species, egg source (stock), egg numbers, release location(s), release numbers, and other conditions. Hatchery permits remain in effect unless relinquished by the permit holder or revoked by the commissioner.

The *basic management plan* (BMP; 5 AAC 40.185) is part of the hatchery permit application process and describes how the proposed hatchery facility will be developed for the first five years of operation. The approved basic management plan is an addendum to the PNP hatchery permit and sets out the terms of the permit.

PNP hatchery permits, which include a BMP, are available for public input during a public hearing process that includes an oral and written comment period, and those comments are provided to the commissioner as part of the determination package. Once approved by the commissioner, the permit may be amended by the permit holder through a *permit alteration request* (PAR; 5 AAC 40.245). The requested changes are reviewed by department staff, as well as the Regional Planning Team (RPT), which allows for public participation. PARs are sent to the commissioner for consideration of approval.

A *fish transport permit* (FTP; 5 AAC 41.001–41.060) is required for egg collection, transport, and release of live fish. An FTP authorizes specific activities described in the hatchery permit including broodstock source, gamete collection, and release site. FTP applications are reviewed by the department fish pathologist, fish geneticist, regional commercial and sport fishery managers, and other department staff as delegated by the commissioner. Reviewers ensure the activities described in the FTP are consistent with department policies and may suggest conditions be added to address concerns before making a recommendation to approve or deny. The commissioner makes the final decision on approval. FTPs are issued for a fixed period. When an FTP is renewed or amended, the FTP application goes through the same review process as the original FTP. Continual review of hatchery activities provides an ongoing assessment of all hatchery projects over time.

An *annual management plan* (AMP; 5 AAC 40.840) outlines operation for the current year. The PNP Coordinator works with appropriate department staff and the hatchery operator to cooperatively develop a plan to guide hatchery operations in accordance with the hatchery permit. Typically, AMPs include the current year's egg-take goals, current fish inventory, juvenile releases, expected adult returns, harvest management plans, FTPs, production strategies, and evaluation plans. Final consideration of the plan is made by the commissioner.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Statewide PNP salmon hatcheries are permitted to take up to 1.4 billion pink salmon eggs and 939 million chum salmon eggs (Tables 170–1 and 170–2). During 2015–2024, hatchery contribution to commercial harvest of pink and chum salmon, including cost recovery, had an annual exvessel value of \$44.3 million and \$44.8 million, respectively (Table 170–3). A 25% reduction in permitted egg-take levels could result in a similar percentage reduction to the annual exvessel value of the commercial salmon fishery, which equates to annual reduction in revenue of \$11 million for pink salmon and \$12 million for chum salmon. Imposing this reduction could have additional negative effects on local economies, which includes the processing sector, that rely on hatchery production to stabilize their operations and could negatively impact their ability to process wild fish. The effects, on wild salmon stocks, of a 25% cut on hatchery production is uncertain and may or may not result in any positive effects on wild salmon stocks.

BACKGROUND: There are four enhancement regions permitted for pink salmon production: Northern Southeast; Prince William Sound and Copper River; Cook Inlet and Kodiak regions. Northern Southeast Region has three associations with four hatcheries permitted for pink salmon: Northern Southeast Regional Aquaculture Association (NSRAA) has Gunnuk Creek Hatchery (20M eggs) and Medvejie Creek Hatchery (0.30M eggs); Armstrong Keta, Inc. (AKI) has Port Armstrong Hatchery (105M eggs); and Sitka Sound Science Center (SSSC) has Sheldon Jackson Hatchery (3M eggs). Prince William Sound and Copper River Region have two associations with four hatcheries permitted for pink salmon: Prince William Sound Aquaculture Corporation (PWSAC) has Armin F. Koernig Hatchery (190M eggs), Cannery Creek Hatchery (187M eggs) and Wally Noerenberg Hatchery (148M eggs); and Valdez Fisheries Development Association (VFDA) has Solomon Gulch Hatchery (270M eggs). Cook Inlet Region has one association and two hatcheries permitted for pink salmon: Cook Inlet Aquaculture Association (CIAA) has Tutka Bay Hatchery (125M eggs) and Port Graham Hatchery (125M eggs). Kodiak Region has Kodiak Regional Aquaculture Association (KRAA) with Kitoi Bay Hatchery (215M eggs).

There are four enhancement regions permitted for chum salmon production: Southern Southeast; Northern Southeast; Prince William Sound and Copper River; and Kodiak regions. Southern Southeast Region has one association with four hatcheries permitted for chum salmon: Southern Southeast Aquaculture Association (SSRAA) has Burnett Inlet Hatchery (97.2M eggs), Neets Bay Hatchery (102.7M eggs), Whitman Lake Hatchery (45.1M eggs), and Port Saint Nicholas Hatchery (8M eggs). Northern Southeast Region has four associations and eight hatcheries permitted for chum salmon: NSRAA has Gunnuk Creek Hatchery (65M eggs), Haines Projects (4.8M eggs), Hidden Falls Hatchery (101M eggs), Medveje Creek Hatchery (77M eggs) and Sawmill Creek Hatchery (30M eggs); AKI has Port Armstrong Hatchery (60M eggs); Douglas Island Pink and Chum, Inc. (DIPAC) has Macaulay Salmon Hatchery (135M eggs); and SSSC has Sheldon Jackson Hatchery (12M eggs). Prince William Sound Region has one association with two hatcheries: PWSAC has Armin F. Koernig Hatchery (34M eggs) and Wally Noerenberg Hatchery (131M eggs). Kodiak Region has Kodiak Regional Aquaculture Association (KRAA) with Kitoi Bay Hatchery (36M eggs).

The board's authority over hatchery production has previously been outlined by the Alaska Department of Law in an informal Attorney General Opinion (Nov. 6, 1997; 661-98-0127). The informal attorney general opinion notes the board "may exercise indirect authority over hatchery production by regulating the harvest of hatchery release fish in the common use fishery," by regulating "hatchery broodstock and cost recovery harvests," and by regulatory action "amending those portions of hatchery permits relating to the source and number of salmon eggs, hatchery harvests, and designation of special harvest areas." The opinion also noted that "Board action that effectively revokes or prevents the issuance of a hatchery permit is probably not authorized." Excerpt from the [Dept. of Law Memo on Authority of the Board of Fisheries Over Private Nonprofit Hatchery Production \(1997\)](#) (page 12):

Given (1) the detailed statutory scheme granting specific authority to the department over nearly every aspect of the permitting and operation of nonprofit hatcheries, (2) the more general statutory authority of the Board over the harvest of fishery resources, and (3) by contrast, the limitations imposed upon the specific statutory authority of the Board over hatchery permits by the amendment to AS 16.10.440(b) in 1979, we conclude the following. Though the Board may effectively amend hatchery permits by regulation in a manner that affects hatchery fish production, we do not believe the Board may either (1) adopt regulations that effectively veto or override a fundamental department policy decision regarding whether to authorize the operation of a particular hatchery or (2) adopt regulations preventing the department from exercising its authority to permit a hatchery operation. We believe that Board actions falling into either of these two categories would risk being viewed by a court as constructing an impermissible impediment to the department's role as the primary government agency responsible for the regulation of hatcheries. In particular, such actions would risk being deemed incompatible with the limitations imposed by the 1979 amendment to AS 16.05.440(b).

A recent decision by the Alaska Supreme Court supports this view. In *Peninsula Marketing Ass'n v. Rosier*, 890 P.2d 567, 573 (Alaska 1995), the court held that in absence of specific statutory authority for the commissioner to issue emergency orders concerning a question previously considered by the Board, the commissioner could not effectively veto a decision

by the Board for which there was specific statutory authority. The court ruled that “[i]nferring a broad veto power would make superfluous the detailed provisions dividing power and authority within the Department” and effectively eviscerate the powers explicitly granted to the Board. *Id.* Similarly, to read the limited grant of authority to the Board over hatcheries set out in AS 16.10.440(b) to permit the Board to effectively veto fundamental policy decisions by the department for which there is specific statutory authority would upset the balance of the statutory scheme chosen by the legislature.

Additional reasons support that conclusion. As previously noted, the Board “may not adopt any regulations or take any action regarding the *issuance or denial* of any permits required under AS 16.10.400-16.10.470.” AS 16.10.440(b) (emphasis added). We believe that a Board regulation that so drastically amends a hatchery permit to render the hatchery’s operation impracticable might be viewed by a court to be an impermissible action by the Board “regarding the issuance or denial . . . of a permit.” *See* AS 16.10.440(b). In other words, a Board amendment that puts a hatchery out of operation might be construed as an effective revocation or denial of a hatchery permit, an action that is expressly prohibited by AS 16.10.440(b). Similarly, Board regulations prohibiting the establishment of a hatchery in a particular area deemed by a court as an action by the Board regarding the issuance of a permit and, therefore, unlawful under AS 16.10.440(b).²²

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal as written. Although there are a significant number of publications on interactions between hatchery production and wild stocks of salmon, very few are directly applicable to Alaska’s salmon populations. Salmon hatcheries outside of Alaska are used to mitigate lost production (e.g., reduced spawning habitat and dams), have different harvest management plans for adult returns, and are not subject to the same precautionary statutes, regulations, and policies as Alaska hatcheries. Alaska policies were designed to avoid past mistakes of hatchery programs operating in the contiguous United States. The publications that do focus on Alaska hatchery/wild interactions have primarily been correlative studies that infer negative interactions at sea, despite multiple other potential causes that may lead to the same result. Over the past 50 years of Alaska hatchery production, the department has strived to meet the legislature’s directive to enhance Alaska’s salmon fisheries, while at the same time protecting wild stocks. The department will continue to closely monitor the hatchery program and take steps to address concerns if there is a compelling reason to amend the terms of a hatchery permit based on data that provide clear evidence the amendment will have a reasonable probability of measurably reducing identified adverse effects on wild salmon stocks. The permitted capacity of pink and chum salmon has remained the same since 2019. When the department has detected impacts of hatchery fish on wild stocks, such as in the case of Crawfish Inlet, where straying hatchery chum salmon impeded the department’s ability to estimate area wild stock escapement, the department took action to reduce hatchery releases in the area. Effectiveness of this hatchery release reduction will be evaluated in coming years.

²² We realize that without additional clarification from the legislature, the parameters of permissible Board regulations remain somewhat murky. However, we believe that the more significantly a particular Board regulation restricts the effective functioning of a hatchery in a way that is incompatible with a departmental decision to permit the hatchery’s operation, the greater is the risk that the Board regulation may be invalidated by a reviewing court.

If the board were to generate a regulation to reduce pink and chum salmon egg-take numbers, it should consider the effect that changes to permitted egg capacity will have on the hatchery association's financial stability, its ability to produce other species of salmon, and the resulting changes to allocation of harvest among gear groups. Each hatchery association takes these things into account when annually reviewing hatchery production.

Finally, if the board were to adopt this proposal, we urge the board to build a strong record on the rationale for selecting a 25% reduction, framed in terms of the expected benefits accruing from this reduction, so that the department can evaluate effectiveness of the action.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal will not result in an additional cost for the department.

Table 170-1. Pink Salmon Permitted Capacity of Alaska PNP Hatcheries, 2025.

Region	Association	Hatchery	Capacity
Northern Southeast	NSRAA	Gunnuk Creek	20.00
		Medvejie Creek	0.30
	AKI	Port Armstrong	105.00
	SSSC	Sheldon Jackson	3.00
	sub total		128.30
Prince William Sound and Copper River	PWSAC	Armin F. Koernig	190.00
		Cannery Creek	187.00
		Wally Noerenberg	148.00
	VFDA	Solomon Gulch	270.00
	sub total		795.00
Cook Inlet	CIAA	Tutka Bay	125.00
		Port Graham	125.00
	sub total		250.00
Kodiak	KRAA	Kitoi Bay	215.00
		State Total	1,388.30

Table 170-2. Chum Salmon Permitted Capacity of Alaska PNP Hatcheries, 2025.

Chum Salmon Permitted Capacity of Alaska PNP Hatcheries, in millions of eggs, 2025			
Region	Association	Hatchery	Capacity
Southern Southeast	SSRAA	Burnett Inlet	97.20
		Neets Bay	102.70
		Whitman Lake	45.10
		Port Saint Nicholas	8.00
		sub total	253.00
Northern Southeast	NSRAA	Gunnuk Creek	65.00
		Haines Projects	4.80
		Hidden Falls	101.00
		Medvejie Creek	77.00
		Sawmill Creek	30.00
	sub total	277.80	
	AKI	Port Armstrong	60.00
	DIPAC	Macaulay	135.00
	SSSC	Sheldon Jackson	12.00
		Southeast sub total	737.80
Prince William Sound	PWSAC	Armin F. Koernig	34.00
		Wally Noerenberg	131.00
		sub total	165.00
Kodiak	KRAA	Kitoy Bay	36.00
		State Total	938.80

Table 170-3. The estimated annual exvessel value of statewide pink and chum salmon hatchery production, 2015–2024.

Year	Species	Number of Hatchery Fish	Average Weight (lbs)	Average Price Per Pound	Value	Value of 25% reduction
2015	Chum	11,328,870	7.61	\$0.55	\$47,413,122	\$11,853,281
2016	Chum	8,967,965	7.53	\$0.62	\$41,865,117	\$10,466,279
2017	Chum	12,474,301	7.72	\$0.73	\$70,297,894	\$17,574,474
2018	Chum	8,432,308	7.96	\$0.90	\$60,376,649	\$15,094,162
2019	Chum	8,778,803	7.19	\$0.54	\$34,077,090	\$8,519,273
2020	Chum	3,567,737	7.16	\$0.47	\$12,006,065	\$3,001,516
2021	Chum	5,535,455	6.27	\$0.92	\$31,943,450	\$7,985,863
2022	Chum	8,378,346	7.01	\$1.20	\$70,527,610	\$17,631,902
2023	Chum	14,980,743	6.65	\$0.67	\$66,705,749	\$16,676,437
2024	Chum	15,565,116	6.73	\$0.50	\$52,801,810	\$13,200,452
	Average	9,800,964	7.18	\$0.71	\$48,801,456	\$12,200,364
2015	Pink	77,896,371	3.40	\$0.23	60,830,039	15,207,510
2016	Pink	11,526,801	3.86	\$0.37	16,483,177	4,120,794
2017	Pink	30,790,196	3.70	\$0.40	45,568,874	11,392,219
2018	Pink	23,280,580	3.82	\$0.48	42,663,469	10,665,867
2019	Pink	35,367,963	3.29	\$0.33	38,341,574	9,585,394
2020	Pink	22,921,072	3.49	\$0.38	30,419,352	7,604,838
2021	Pink	53,736,205	3.06	\$0.45	73,972,991	18,493,248
2022	Pink	26,604,649	3.50	\$0.56	52,166,119	13,041,530
2023	Pink	60,472,013	3.09	\$0.38	71,101,832	17,775,458
2024	Pink	11,471,618	3.09	\$0.33	11,879,464	2,969,866
	Average	35,406,747	3.43	\$0.39	\$44,342,689	\$11,085,672

Source: the number of fish from hatchery annual report data, including cost recovery harvest. Weights from CFEC. Price from COAR data found on the ADF&G website.

PROPOSAL 171 – 5 AAC 40.XXX New Regulation.

PROPOSED BY: Kenai River Sportfishing Association.

WHAT WOULD THE PROPOSAL DO? This would reduce the number of pink salmon eggs allowed on all Prince William Sound hatchery permits to a level sufficient to reduce straying into Lower Cook Inlet streams to below 2% of the estimated escapement over the long-term.

WHAT ARE THE CURRENT REGULATIONS? Private nonprofit (PNP) hatchery egg-take levels are specified on permits issued by the department. Primary authority over issuance of hatchery permits and regulations of hatchery operations is vested in the commissioner and department. There are several interrelated statutory authorities relating to hatchery production levels (AS 16.10.400–16.10.430).

The board may, after the issuance of a permit by the commissioner, amend by regulation, the terms of the permit relating to the source and number of salmon eggs, the harvest of fish by hatchery operators, and the specific locations designated by the department for harvest. The board may not adopt any regulations or take any action regarding the issuance or denial of any permits required in AS 16.10.400–16.10.470 (AS 16.10.440(b)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? In 2025, PNP salmon hatcheries in Prince William Sound were permitted to take up to 795 million pink salmon eggs (Table 171–1). Reducing hatchery egg-take levels will have a negative effect on the local economy, the significance of the impact will depend on the size of the cut the board determines is necessary to reduce straying in Cook Inlet to below 2% of the estimated escapement over the long-term. Potential benefits to wild salmon are not quantifiable. This would require the department to annually assess the extent of PWS hatchery-produced pink salmon present in Cook Inlet streams. The board does not have fiscal or administrative authority to require the department to conduct an assessment program.

BACKGROUND: Prince William Sound and Copper River Region have two associations with four hatcheries permitted for pink salmon: Prince William Sound Aquaculture Corporation (PWSAC) has Armin F. Koernig Hatchery (190M eggs), Cannery Creek Hatchery (187M eggs) and Wally Noerenberg Hatchery (148M eggs); and Valdez Fisheries Development Association (VFDA) has Solomon Gulch Hatchery (270M eggs).

The board’s authority over hatchery production has previously been outlined by the Alaska Department of Law in an informal Attorney General Opinion (Nov. 6, 1997; 661-98-0127). The informal attorney general opinion notes the board “may exercise indirect authority over hatchery production by regulating the harvest of hatchery release fish in the common use fishery,” by regulating “hatchery broodstock and cost recovery harvests,” and by regulatory action “amending those portions of hatchery permits relating to the source and number of salmon eggs, hatchery harvests, and designation of special harvest areas.” The opinion also noted that “Board action that effectively revokes or prevents the issuance of a hatchery permit is probably not authorized.”

Excerpt from the [Dept. of Law Memo on Authority of the Board of Fisheries Over Private Nonprofit Hatchery Production \(1997\)](#) (page 12):

Given (1) the detailed statutory scheme granting specific authority to the department over nearly every aspect of the permitting and operation of nonprofit hatcheries, (2) the more general statutory authority of the Board over the harvest of fishery resources, and (3) by contrast, the limitations imposed upon the specific statutory authority of the Board over hatchery permits by the amendment to AS 16.10.440(b) in 1979, we conclude the following. Though the Board may effectively amend hatchery permits by regulation in a manner that affects hatchery fish production, we do not believe the Board may either (1) adopt regulations that effectively veto or override a fundamental department policy decision regarding whether to authorize the operation of a particular hatchery or (2) adopt regulations preventing the department from exercising its authority to permit a hatchery operation. We believe that Board actions falling into either of these two categories would risk being viewed by a court as constructing an impermissible impediment to the department's role as the primary government agency responsible for the regulation of hatcheries. In particular, such actions would risk being deemed incompatible with the limitations imposed by the 1979 amendment to AS 16.05.440(b).

A recent decision by the Alaska Supreme Court supports this view. In *Peninsula Marketing Ass'n v. Rosier*, 890 P.2d 567, 573 (Alaska 1995), the court held that in absence of specific statutory authority for the commissioner to issue emergency orders concerning a question previously considered by the Board, the commissioner could not effectively veto a decision by the Board for which there was specific statutory authority. The court ruled that “[i]nferring a broad veto power would make superfluous the detailed provisions dividing power and authority within the Department” and effectively eviscerate the powers explicitly granted to the Board. *Id.* Similarly, to read the limited grant of authority to the Board over hatcheries set out in AS 16.10.440(b) to permit the Board to effectively veto fundamental policy decisions by the department for which there is specific statutory authority would upset the balance of the statutory scheme chosen by the legislature.

Additional reasons support that conclusion. As previously noted, the Board “may not adopt any regulations or take any action regarding the *issuance* or *denial* of any permits required under AS 16.10.400-16.10.470.” AS 16.10.440(b) (emphasis added). We believe that a Board regulation that so drastically amends a hatchery permit to render the hatchery's operation impracticable might be viewed by a court to be an impermissible action by the Board “regarding the issuance or denial . . . of a permit.” *See* AS 16.10.440(b). In other words, a Board amendment that puts a hatchery out of operation might be construed as an effective revocation or denial of a hatchery permit, an action that is expressly prohibited by AS 16.10.440(b). Similarly, Board regulations prohibiting the establishment of a hatchery in a particular area deemed by a court as an action by the Board regarding the issuance of a permit and, therefore, unlawful under AS 16.10.440(b).³²

³² We realize that without additional clarification from the legislature, the parameters of permissible Board regulations remain somewhat murky. However, we believe that the more significantly a particular Board regulation restricts the effective functioning of a hatchery in a way that is incompatible with a departmental decision to permit the hatchery's operation, the greater is the risk that the Board regulation may be invalidated by a reviewing court.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because there is not a mechanism relating Prince William Sound (PWS) hatchery pink salmon egg-take levels to the amount of PWS hatchery pink salmon present in Lower Cook Inlet streams. It is likely that factors other than egg-take level exert influence on the rate of straying. Hatchery egg-take levels are established through an iterative process involving department staff and stakeholders. Hatchery operations are permitted with consideration of minimizing impact on wild salmon stocks, and the commissioner can amend a permit if the hatchery is not in the best interest of the public. The commissioner may alter the permit to mitigate the adverse effects of the hatchery operation. The department will continue to closely monitor the hatchery program and take steps to address concerns if there is a compelling reason to amend the terms of a hatchery permit that is based on analysis of data and provides clear evidence the amendment will have a reasonable probability of measurably reducing identified adverse effects on wild salmon stocks. The department's current hatchery/wild interaction study is working to establish baseline genetic data, which, when applied to the overall conclusions of the study, will guide the department in production decisions. The permitted capacity of pink salmon in Prince William Sound has remained the same since 2019.

When the department has detected impacts of hatchery fish on wild stocks, such as in the case of Crawfish Inlet, where straying hatchery chum salmon impeded the department's ability to estimate area wild stock escapement, the department took action to reduce hatchery releases in the area. Effectiveness of this hatchery release reduction will be evaluated in coming years.

If the board were to generate a regulation to reduce pink salmon egg-take numbers, it should also consider the effect that changes to permitted egg capacity will have on the hatchery association's financial stability, its ability to produce other species of salmon, and the resulting changes to allocation of harvest among gear groups. Each hatchery association takes these things into account when annually reviewing hatchery production.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal will result in a significant additional cost for the department to annually assess the level of PWS hatchery-produced pink salmon present in Cook Inlet streams.

Table 171-1. Pink Salmon Permitted Capacity of Prince William Sound PNP Hatcheries, in millions of eggs 2025.

Pink Salmon Permitted Capacity of Prince William Sound PNP Hatcheries, in millions of eggs, 2025			
Region	Association	Hatchery	Capacity
Prince William Sound and Copper River	PWSAC	Armin F. Koernig	190.00
		Cannery Creek	187.00
		Wally Noerenberg	148.00
	VFDA	Solomon Gulch	270.00
		sub total	795.00

PROPOSAL 172 – 5 AAC 40.XXX New Regulation.

PROPOSED BY: Kenai River Sportfishing Association.

WHAT WOULD THE PROPOSAL DO? This would create a moratorium on new pink and chum salmon hatchery production, above the level permitted in 2025.

WHAT ARE THE CURRENT REGULATIONS? Private nonprofit (PNP) hatchery egg-take levels are specified on permits issued by the department. Primary authority over issuance of hatchery permits and regulations of hatchery operations is vested in the commissioner and department. There are several interrelated statutory authorities relating to hatchery production levels (AS 16.10.400–16.10.430).

The board may, after the issuance of a permit by the commissioner, amend by regulation, the terms of the permit relating to the source and number of salmon eggs, the harvest of fish by hatchery operators, and the specific locations designated by the department for harvest. The board may not adopt any regulations or take any action regarding the issuance or denial of any permits required in AS 16.10.400–16.10.470 (AS 16.10.440(b)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?

This would cap hatchery and pink and chum salmon egg take level, statewide, at the capacity permitted in 2025. This would not prohibit the commissioner from issuing new permits that would increase pink and chum salmon hatchery production, rather it would cap existing permits at the 2025 level.

BACKGROUND: The board’s authority over hatchery production has previously been outlined by the Alaska Department of Law in an informal Attorney General Opinion (Nov. 6, 1997; 661-98-0127). The informal attorney general opinion notes the board “may exercise indirect authority over hatchery production by regulating the harvest of hatchery release fish in the common use fishery,” by regulating “hatchery broodstock and cost recovery harvests,” and by regulatory action “amending those portions of hatchery permits relating to the source and number of salmon eggs, hatchery harvests, and designation of special harvest areas.” The opinion also noted that “Board action that effectively revokes or prevents the issuance of a hatchery permit is probably not authorized.”

Excerpt from the [Dept. of Law Memo on Authority of the Board of Fisheries Over Private Nonprofit Hatchery Production \(1997\)](#) (page 12):

Given (1) the detailed statutory scheme granting specific authority to the department over nearly every aspect of the permitting and operation of nonprofit hatcheries, (2) the more general statutory authority of the Board over the harvest of fishery resources, and (3) by contrast, the limitations imposed upon the specific statutory authority of the Board over hatchery permits by the amendment to AS 16.10.440(b) in 1979, we conclude the following. Though the Board may effectively amend hatchery permits by regulation in a manner that affects hatchery fish production, we do not believe the Board may either (1) adopt regulations that effectively veto or override a fundamental department

policy decision regarding whether to authorize the operation of a particular hatchery or (2) adopt regulations preventing the department from exercising its authority to permit a hatchery operation. We believe that Board actions falling into either of these two categories would risk being viewed by a court as constructing an impermissible impediment to the department's role as the primary government agency responsible for the regulation of hatcheries. In particular, such actions would risk being deemed incompatible with the limitations imposed by the 1979 amendment to AS 16.05.440(b).

A recent decision by the Alaska Supreme Court supports this view. In *Peninsula Marketing Ass'n v. Rosier*, 890 P.2d 567, 573 (Alaska 1995), the court held that in absence of specific statutory authority for the commissioner to issue emergency orders concerning a question previously considered by the Board, the commissioner could not effectively veto a decision by the Board for which there was specific statutory authority. The court ruled that "[i]nferring a broad veto power would make superfluous the detailed provisions dividing power and authority within the Department" and effectively eviscerate the powers explicitly granted to the Board. *Id.* Similarly, to read the limited grant of authority to the Board over hatcheries set out in AS 16.10.440(b) to permit the Board to effectively veto fundamental policy decisions by the department for which there is specific statutory authority would upset the balance of the statutory scheme chosen by the legislature.

Additional reasons support that conclusion. As previously noted, the Board "may not adopt any regulations or take any action regarding the *issuance* or *denial* of any permits required under AS 16.10.400-16.10.470." AS 16.10.440(b) (emphasis added). We believe that a Board regulation that so drastically amends a hatchery permit to render the hatchery's operation impracticable might be viewed by a court to be an impermissible action by the Board "regarding the issuance or denial . . . of a permit." *See* AS 16.10.440(b). In other words, a Board amendment that puts a hatchery out of operation might be construed as an effective revocation or denial of a hatchery permit, an action that is expressly prohibited by AS 16.10.440(b). Similarly, Board regulations prohibiting the establishment of a hatchery in a particular area deemed by a court as an action by the Board regarding the issuance of a permit and, therefore, unlawful under AS 16.10.440(b).⁴²

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Hatchery egg-take levels are established through an iterative process involving department staff and stakeholders. Hatchery operations are permitted with consideration of minimizing impact on wild salmon stocks and the commissioner can amend a permit if the hatchery is not in the best interest of the public or to mitigate the adverse effects of the hatchery operation. The department will continue to closely monitor the hatchery program and take steps to address concerns if there is a compelling reason to amend the terms of a hatchery permit that is based on analysis of data, and provides clear evidence the amendment will have a reasonable probability of measurably reducing identified adverse effects on wild salmon stocks. The permitted capacity of pink and chum salmon has remained the same since 2019.

⁴² We realize that without additional clarification from the legislature the parameters of permissible Board regulations remain somewhat murky. However, we believe that the more significantly a particular Board regulation restricts the effective functioning of a hatchery in a way that is incompatible with a departmental decision to permit the hatchery's operation, the greater is the risk that the Board regulation may be invalidated by a reviewing court.

When the department has detected impacts of hatchery fish on wild stocks, such as in the case of Crawfish Inlet, where straying hatchery chum salmon impeded the department's ability to estimate area wild stock escapement, the department took action to reduce hatchery releases in the area. Effectiveness of this hatchery release reduction will be evaluated in coming years.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal will not result in an additional cost for the department.