

**Fairbanks
Fish & Game Advisory Committee**

*Interior Region
Fish & Game Advisory Committees*

Kirk Schwalm
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Central	Middle Nenana River
Delta Junction	Middle Yukon River
Eagle	Minto-Nenana
Fairbanks	Ruby
GASH	Stony Holitna
Koyukuk River	Tanana-Rampart-Manley
Lake Minchumina	Upper Tanana Fortymile
McGrath	Yukon Flats

To: Alaska Board of Fisheries

Re: Comments for Cook Inlet, Kodiak, Westward, Arctic Shellfish and Shellfish General Provisions, and Prince William Sound Shrimp Meeting.

Dear Members of the Alaska Board of Fisheries,

The Fairbanks area Fish & Game Advisory Committee provides the following comments regarding proposals before the Board of Fisheries:

#101 5 AAC 33.375. District 13: Silver Bay (Medvejie Creek Hatchery) Salmon Management Plan

Action: Support

The Fairbanks Advisory Committee (FAC) SUPPORTS Proposal #101 on the following basis:

The Medvejie Creek Hatchery should be consistent with the Silver Bay Salmon Management Plan.

The opportunity for straying of hatchery chum stock affecting wild stocks in Crawfish Inlet exists at an unreasonable level with detrimental impacts to wild stocks.

In short, both ADF&G and the Medvejie Creek Hatchery need to follow the rules.

#103: 5 AAC 33.363. Management guidelines for allocating Southeast Alaska pink, chum, and sockeye salmon between commercial net fisheries

Modify net gear allocation guidelines to further consider potential effect of hatchery-produced salmon on wild-stock salmon and wild-stock salmon management, as follows:

Action: Support

The Fairbanks Advisory Committee (FAC) SUPPORTS Proposal #103 on the following basis:

“Effective fishery management outcomes should be consistent with regulations, regulations should be consistent with statutes, implementation can effectively carry out the purpose... of objectives, strategies, guiding principles, and policies established in harvest management plans. 5 AAC 39.222 (c)(3)(F) Sustainable Salmon Fisheries Policy Sustainable Fisheries”

**#110: 5 AAC 33.331. Gillnet specifications and operations
Require reporting and recovery of lost drift gillnet gear in Southeastern Alaska****Action: Support**

The Fairbanks Advisory Committee (FAC) SUPPORTS Proposal #110 on the following basis:

To make consistent with other commercial fishing areas in the State.

Lost gear leads to “ghost fishing” and is highly detrimental to all marine species as well as to other fishing gear. If gear is reported immediately lost, there is a chance of recovery without too much damage.

This is a basic conservation issue.

We also concur with the requirement to have a permit number on at least one of the net corks.

PROPOSAL 282: 5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan and 5 AAC 09.366. Post-June Salmon Management Plan for the South Alaska Peninsula.**Action: Support**

The Fairbanks Advisory Committee (FAC) SUPPORTS Proposal #282 on the following basis:

“In each of the last four years (2018-2021) the Chignik River early-run sockeye salmon escapement goal range has not been met (Table 1).

Based on Western Alaska Salmon Stock Identification Program data, sockeye salmon bound for the Chignik River are harvested in the Shumagin Islands Section and Dolgoi Islands Area (identified in 5 AAC 09.365(f) from mid-June through late July.

Under current regulations fishing time in the Shumagin Islands Section and Dolgoi Islands Area is not based on sockeye salmon escapement to the Chignik River. This proposal links fishing time in the Shumagin Islands and Dolgoi Islands Area to sockeye salmon escapement to the Chignik River.”

PROPOSAL 283: 5 AAC 21.359. Kenai River Late-Run King Salmon

Management Plan

Action: Oppose

The Fairbanks Advisory Committee (FAC) OPPOSES Proposal #283 on the following basis:

- 1) Proposal #283 will effectively *lower* the current OEG king salmon minimum escapement of 15,000 to 13,500 as a trigger to allow additional set gillnet commercial opportunity. In a time of continued low abundance of Chinook salmon, this is a bad precedence. *Conservation of kings (Chinook) is critical and paramount and no king conservation goals should be lowered anywhere in the state.*
- 2) The Board of Fish “paired restriction” management plan for Kenai River late runs has only been in place a short time (2017). This management plan went through an extensive Board of Fish vetting and public review process.
 - a. Current regulations: Both the *Kenai River Late-Run Sockeye Salmon Management Plan* (5 AAC 21.360; KRLSMP) and the *Kasilof River Sockeye Salmon Management Plan* (5 AAC 21.21.365; KRSMP) contain provisions to manage sockeye salmon based on sockeye salmon abundance that are specifically preempted by the KRLKSMP when preseason or in-season Kenai River king salmon abundance is low. This regulatory management framework is commonly known as “paired restrictions”.
 - b. Further: ADF&G staff comments are detailed. The Department has taken a neutral position as they consider this an allocative issue before the BOF, but they do emphasize that it will negatively affect the current “paired restriction” and there are many complexities and unforeseen consequences. The Department notes: “This would impact the current paired restriction regulatory framework and allow ESSN openings at king salmon abundance levels that close the sport and personal use fisheries to retention of king salmon.”¹
- 3) This proposal is out of cycle (2024) and it is not an urgent issue. While there was an unexpected high number of Kenai River late run sockeye in 2021, the forecast for Kenai

¹ RC 2 ADF&G Staff Comments on Commercial, Personal Use, Sport and Subsistence Regulatory Proposals Committee of the Whole Groups 1-3 for Statewide Board of Fisheries meeting March 24th, 2022

River sockeye and kings in 2022 is looking dismal. The late season king run has been less than 12,000 in the last three years.

- 4) This proposal was developed through a convoluted process. BOF Member McKenzie Mitchell originally sought an *Emergency Petition* for this issue, but the Board said it did not meet the criteria. Then Member Mitchell sought an ACR (agenda change request) but that was also denied on the basis of criteria. Then Member Mitchell introduced the issue as a BGP (board generated proposal), which was approved at the October 2021 BOF Work Session by a vote of 5-2, with Board members John Jensen and Israel Peyton dissenting. Board Member Jensen thought it was a “go around” of the regular Board process and could open a “Pandora’s Box.” Board Member Payton noted that “king conservation mode” was still in place and that the process for utilizing a BGP when emergency petitions and ACRs did not work was a “bad route.”²

Board Generated Proposals (BGP) have specific criteria (adopted in 2013):

- Is it in the public’s best interest (e.g., access to resource, allocation concerns, consistent intent, public process)?
 - Is there urgency in considering the issue (e.g., potential for escapement objectives not being met or sustainability in question)?
 - Are current processes insufficient to bring the subject to the board’s attention (e.g., reconsideration policy, normal cycle proposal submittal, ACRs, petitions)?
 - Will there be reasonable and adequate opportunity for public comment (e.g., how far do affected users have to travel to participate, amount of time for affected users to respond)?
- 5) A current federal FMP (fisheries management plan) affecting drift net permit holders in Cook Inlet and potentially closing them off to half their average catch, will have unforeseen impacts on this fishery. That plan is currently being reconsidered at the North Pacific Fishery Management Council.
- 6) “Over escapement” in 2021 was cited a one of the reasons for this to be an in-river, in-season management tool, but “over escapement” for the Kenai is not considered a factor by ADF&G.”The (2021) escapements of sockeye salmon into the Kasilof River were the largest since 2011. This said, the department has yet to see an impact from exceeding the sockeye salmon escapement goals in either the Kasilof or Kenai River in that neither system has ever failed to replace an escapement.”

Sincerely,

Kirk Schwalm
Chair Fairbanks Fish & Game Advisory Committee

² “Setnet rules for Cook Inlet could be eased”, *Homer News*, November 18, 2021