

***King Salmon-Commercial***

**PROPOSAL 129**

**5 AAC 29.090. Management of the spring troll fishery.**

Increase the number of days open in the Yakutat Bay spring troll fishery from 1 day to 2 days.

Execute the fishery on 2 separate days, rather than one 24 hour opener per week. This would increase the opportunity for trollers to harvest and would not change the overall 1000 fish allocation here so it won't affect other users.

**What is the issue you would like the board to address and why?** Currently and since implementation the one day per week troll allocation has never been caught. Most years the catch is less than half. This allocation and economic potential for the community of Yakutat is not being fully utilized.

**Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.** No, I am a resident of Yakutat and am submitting this on my own behalf.

**PROPOSED BY:** Casey Mapes

(HQ-F24-029)

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**PROPOSAL 130**

**5 AAC 29.100. Management of the summer troll fishery.**

Allow for remaining troll king salmon allocation after winter and spring troll fisheries to be harvested during a single retention period beginning July 1.

Solution: A single uninterrupted summer king troll retention period beginning July 1.

We respectfully request a change in regulatory language enabling the troll fleet to harvest its entire summer king salmon quota share (its annual harvest allocation specified in 5 AAC 29.060) starting with the July 1st king opener and continuing uninterrupted until concluded. Rather than two separate summer troll king openers as presently conducted, we propose one uninterrupted troll king opener during the summer king troll season, excepting any coho closure necessary to achieve escapement goals (during which all troll king salmon retention -- except as otherwise noted by the department -- would cease until the conclusion of the coho closure and king retention would resume immediately upon the resumption of coho retention).

This proposed solution greatly simplifies the regulations governing the summer king troll harvest, it assists the department in achieving its mission to apportion the troll fleet its mandated 80 percent share of the king allocation (after the nets' portion is assigned), and it obviates the necessity of regulatory language whose sole purpose is to address "what-ifs" and "what-thens" related to a second (separate) summer king troll harvest retention period in August.

Draft regulatory language:

5 AAC 29.100. remains unchanged except where formatting protocols indicate below and where repeated sequential deletions are noted (proposed deletions pertain to regulations governing a separate second troll king salmon opener in August).

**5AAC 29.100. Management of the summer salmon troll fishery**

-----start proposed changes/deletions-----

(A) to take **100 percent** [70 PERCENT] of the remaining troll king salmon harvest allocation, calculated as the annual troll harvest allocation minus the winter and spring troll harvests of treaty king salmon, in an [INITIAL] opening beginning July 1; **areas of king salmon high abundance shall remain open for the entirety of the summer king salmon troll harvest allocation except as ordered by emergency order.**

[SEQUENTIALLY DELETE THE FOLLOWING IN THEIR ENTIRETY: (B), (i), (ii), (2), (A), (B)]

**(B) if summer harvest retention of king salmon is still on-going at the start of any closure of the coho salmon troll fishery (to achieve escapement goals), troll king fishing shall cease during the coho closure -- except where explicitly specified -- and shall resume immediately upon the reopening of coho retention. King salmon retention shall remain open until the king salmon troll quota share (80 percent of the king salmon allocation once the nets' share has been deducted as prescribed in 5 AAC 29.060) is harvested or Sept. 20, whichever comes first.**

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**What is the issue you would like the board to address and why?** The troll fleet wishes to secure the fairest opportunity to harvest its legally allocated share of king salmon without drama or rancor or uncertainty. But complications exist, which include:

\* The relatively low Southeast Alaskan king salmon quota share awarded at Treaty (with little optimism for future improvement) presents challenges for the Alaska Dept. of Fish & Game (ADFG) to fulfill its role as the executor of allocative apportionment among the affected gear groups.

\* The vast majority of the king salmon harvested by non-resident sports (the charter fleet and bare boats -- whose numbers are unrestricted and growing) occur in the spring and early summer, compounding ADFG's apportionment challenges. (The majority of the troll fleets' king harvest occurs much later in July and August.)

\* In August of 2023, ADFG revealed a regulatory change (as-then unknown to all stakeholders) which inscrutably abandoned in-season management for the non-resident sport fleet, resulting in an allocated overage by the sport sector of 17K kings. This led to a direct unrecoverable loss of 15.5K kings from the troll fleet's share to ensure that Alaska did not exceed its quota (gillnetters lost 1.5K kings from their allocative share as well).

\* The troll fleet (as well as the resident-sport sector, whose participation and king harvest have remained remarkably consistent for the last 20 years) unwittingly finds itself in a "race to the fish" that no one knew existed until the regulatory change and an allocative transfer was made known to all by ADFG in August of 2023.

**Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.** Yes. This proposal enjoys the support of the ATA board.

**PROPOSED BY:** David Richey and Ken McGee, ATA board members (EF-F24-168)

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**PROPOSAL 131**

**5 AAC 29.100 Management of the summer troll fishery.**

Establish criteria for establishing a limited harvest troll fishery in August and allow for more than one limited harvest fishery to occur.

5 AAC 29.100 (D) if the department determines that the number of king salmon remaining on the annual troll king salmon harvest allocation is not sufficient to allow a competitive fishery, **of at least 3 days**, the commissioner may, by emergency order, reopen the troll fishery to the taking of king salmon during a limited harvest fishery, subject to the following conditions:

- (i) a limited harvest fishery may be opened for up to 10 days;
- (ii) more than one limited harvest fishery may occur in the same season if unharvested allocation remains.**

**What is the issue you would like the board to address and why?** Current summer troll king salmon management begins with a competitive July opener targeting 70% of the summer quota, followed by a competitive August opener targeting the remainder of the quota and if necessary, a September equal share fishery to "sweep up" any kings that are left on the quota. While the July and August openings are long-established, the regulations governing the sweep up fishery were added much more recently. At the time of adoption, the regulation included many restrictions limiting this management tool while management and industry were getting accustomed to it. Now that it has been used a couple of times, trollers that were initially uncertain how it would work have become more comfortable with this sort of opening and would like to see it used in more situations.

This desire was precipitated by the 2023 August opening which was only 1 day long. The coho troll fishery is required to close for two days ahead of a competitive king opening to ensure a fair start, but this closure is not required for an equal share fishery. When the August king opener is only one or two days long for all but the most highly-productive king producers, the benefits of a competitive opening are outweighed by the costs of the two-day coho closure and need for immediate offloading of kings following the short opener.

This proposal would give the department more latitude to utilize the equal share fishery as a tool in more scenarios, thus avoiding the need for unnecessary fair-start closures and artificially shortened trips in situations when competitive openings are too inefficient to justify

**Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.** I was motivated to submit this proposal after several other trollers expressed their dissatisfaction to me with the inconvenience and inefficiency associated with the 2023 August opener that lasted only one day.

**PROPOSED BY:** Tad Fujioka (EF-F24-039)

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**PROPOSAL 132**

**5 AAC 29.140 Size limits, possession, and landing requirements.**

Establish a minimum size limit for Chinook salmon of 26 1/2 inches from snout to fork of tail in the spring troll fisheries.

**5 AAC 29.140 (f) Not withstanding (a) of this section, in the spring troll fisheries, the minimum size limit for Chinook shall be 26-1/2” from snout to fork of tail.**

(Note that if ADF&G data shows a different fork length to be the equivalent of 28” overall for immature kings, I would support using that length, but my observations indicate that an immature 28” king is about 26-1/2” in fork-length).

**What is the issue you would like the board to address and why?** It can be difficult to precisely determine if a close-to-long-enough king salmon meets the current minimum size limit of 28" as measured from snout to tip of the tail. Sometimes the fish flex or point their tails as they are being measured, thereby changing their length by up to half an inch. While trollers try to compensate for this distortion, we have to take the measurement quickly in order that the fish can be released unharmed if it is too short. As king salmon have gotten smaller over the years, there are more fish that need to be measured every year, and a corresponding increase in the likelihood that a fish caught by well-intended fishermen is considered too short by enforcement personnel. Changing from an overall length measurement to a fork-length measurement would make it much easier to quickly obtain an accurate and consistent measurement since the fork-length doesn't change when the fish's tail changes posture. This will reduce stress on the released fish and cut down on disagreement with enforcement personnel when a fish goes into rigor mortis with their tail in a different position than when it was initially measured.

Utilizing a fork-length measurement during the spring season when the troll fishery is targeting Alaska hatchery kings would be particularly beneficial. Mature kings tend to be slightly larger than immature kings of the same age. This difference is the reason that the 28" minimum length was adopted decades ago. It protects immature king salmon that should be released to grow bigger, while allowing the harvest of precocious "jack" spawners- fish that while small, will nonetheless soon spawn and die. However, using a fork-length measurement is a better way to distinguish between maturing Chinook and immature kings than an overall length.

As salmon mature, their tails become less forked, so while an immature king that has a fork-length of 26-1/2" is about 28" overall, a mature king with the same fork-length is about an inch shorter in overall length. Under the current regulations, the immature fish is borderline-legal to keep, but the mature king is not. By changing the measurement method from 28" overall to 26-1/2" fork-length during the spring season when trollers are targeting mature Alaska hatchery fish the spring troll catch of Alaska hatchery Chinook will increase without measurably increasing the catch of Treaty Chinook since the Treaty kings in the region are predominately immature during the spring troll season. This is an unmitigated benefit since the Alaska hatchery kings do not count against the quota imposed by the Treaty.

While this change might mean that very occasionally a mature "jack" SE wild Chinook would be caught and retained rather than released, the BoF should keep in mind that such a fish would be a "medium", not "large" size fish. Thus, even if it reached the river, it would not have counted towards escapement goals. These "jack" kings are typically surplus to reproductive needs, hence ADFG has long encouraged their harvest dating back to the work of pioneering SE Chinook ADF&G researcher Paul Kissner in the 1970's at a time when local wild runs were at even lower levels than they are now.

**Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.** The Sitka AC has previously endorsed the concept of changing the minimum size limit in some spring fisheries to a fork length measurement multiple times in the past 4 years, and has submitted a Sitka-area-only proposal to do so in this board cycle. This proposal is similar but would apply to all spring troll fisheries instead of just the Sitka area.

**PROPOSED BY:** Tad Fujioka

(EF-F24-038)

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**PROPOSAL 133**

### **5 AAC 29.140. Size limits, possession, and landing requirements.**

Allow for king salmon of 26 1/2 inches snout to fork length be retained in District 13 spring troll fisheries.

**In the District 13 spring troll fisheries, the minimum size limit for Chinook shall be 26-1/2” from snout to fork. Permit holders must offload all Chinook salmon that are less than 28 inches prior to fishing in areas where retention of Chinook salmon less than 28 inches is prohibited.**

(Or, if ADF&G data shows a different fork length to be the equivalent of 28” overall for immature kings, use that length).

### **What is the issue you would like the board to address and why?**

1. There are two issues that can be addressed with a single solution. In recent years more than half of NSRAA Chinook that are returning to the Sitka area have spent only 2 years in saltwater. About 30% of these young kings are less than the troll fishery minimum size limit of 28” as measured from snout to tip of tail. However, about half of these “shakers” are within an inch of meeting the minimum length. The 28” minimum is a conservation measure intended to allow immature kings to grow bigger before being harvested, but it is an imperfect tool since a small mature NSRAA king that is released in May or June will not live long enough to grow significantly larger.

Maturation changes Chinook in many ways. One of the physical changes is that the “vee” in the Chinook’s tail fills in and the previously forked tail becomes nearly “square”. In other words, an immature king that is 28” in overall length would measure about 26-1/2” from snout to the fork of the tail, but a mature 28” king will be nearly 27-1/2” in fork-length. So, changing the minimum size limit from 28” overall to 26-1/2” from snout to fork of tail would allow trollers to keep more mature NSRAA kings while continuing to protect the small immature Treaty fish.

This should increase the spring troll catch of NSRAA Chinook by about 15% without increasing the catch of Treaty Chinook since the Treaty kings in the Sitka spring troll districts are immature at that time of year.

The spring troll fisheries targeting NSRAA Chinook are isolated from other spring Chinook troll fisheries by nearly 100 miles. In the last three years, 18,783 kings caught in the Sitka spring fisheries were sampled by ADFG personnel. Only 5 of these fish were landed at a port other than Sitka. Similarly, of the 18,778 spring kings sampled by ADFG in Sitka in the past three years, none of them were caught outside of Districts 12 or 13. Hence there should be no enforcement issues with having a different minimum length measurement in the Sitka area.

The Sitka area is also over 100 miles away from the nearest wild Chinook system, so there should be minimum concern for SE wild stocks; furthermore, even if a mature SE wild Chinook was caught due to this Proposal, it would be a “medium”, not “large” size fish and hence would not have counted towards escapement goals even it had not been caught.

The second issue that this proposal addresses is that the flexibility of a king salmon’s tail creates inconsistent measurements. Some fish naturally point their tails so that they are longer than 28” when they come aboard, but measure short after they have died and their muscles relax. Fishermen, plant workers, and Wildlife troopers can measure the same fish and each get slightly different lengths depending upon how the tips of the tail lay on the table. These inconsistencies are not an issue when measuring to the fork of the tail since the fork length doesn’t change when the fish’s

tail changes posture. Thus, crew and skippers landing king salmon have a much quicker and consistent measurement resulting in less handling and higher survival of those released.

**Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.** The Sitka AC is sponsoring this proposal. We have previously endorsed the concept of changing the spring fishery to fork length multiple times in the past 4 years, most recently on January 17, 2024.

**PROPOSED BY:** Sitka AC

(EF-F24-021)

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**PROPOSAL 134**

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

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

**5AAC33.XX Unlawful Possession of King Salmon**

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

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

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

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

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

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

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

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

Residents of PoW are very aware and concerned about king salmon and the seine caught bycatch. Residents fish for king salmon during seine openings. They see one seine vessel haul its net and several king salmon will be instantly sorted and tossed back into the ocean while the vessel right next to the first vessel tosses nothing back. Residents watch these seine vessels return to the harbors and offload carts of king salmon. The local custom fish processors pick up the fish from the crew in direct view of the public eye. Almost all of these king salmon have not been reported on an ADFG fish ticket and are undocumented.

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

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

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

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

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

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

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

**PROPOSED BY:** East PoW AC

(EF-F24-135)

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