

Submitted by the Alaska Department of Fish and Game
March 21, 2017

The Alaska Department of Fish and Game (department) hereby requests that the Alaska Board of Fisheries (board) adopt an emergency regulation amending gillnet specifications and operation in the Southeastern Alaska Area salmon fishery as follows:

5 AAC 33.331. Gillnet specifications and operation.

...

(d) In Districts 6, 8, 11, and 15, through the fourth Saturday in July [JUNE], the commissioner may, by emergency order, establish fishing periods during which the maximum gillnet mesh size is six inches.

...

Background

Southeastern Alaska Area (SEAK) king salmon stocks are currently experiencing a cycle of very low abundance. Over the past five years (2012–2016), the eleven king salmon index systems in SEAK did not meet escapement goals 45% of the time. 2016 SEAK king salmon runs were generally below forecast and in spite of conservation measures taken by the department, produced escapements well below expectations. In 2017, the Taku and Chilkat rivers are not expected to meet their king salmon escapement goals despite planned inseason conservation measures. The Stikine River has a 2017 terminal run size forecast near the midpoint of the escapement goal range after accounting for conservation measures.

In response to the ongoing cycle of low productivity of SEAK king salmon stocks, the department held a series of meetings in winter 2016/2017 to develop a management strategy that will maximize king salmon escapements across the region. In 2017, closures and time and area reductions will be implemented in subsistence, sport, and commercial salmon fisheries throughout SEAK. Another critical part of this management strategy is a gillnet mesh restriction in districts 6, 8, 11, and 15, implemented over the entire duration of king salmon runs to Chilkat, Taku, and Stikine Rivers. Current regulations allow implementation of mesh restrictions in Districts 8, 11, and 15 through the fourth Saturday in June, which excludes District 6 and only covers a portion of these king salmon runs. SEAK king salmon runs typically peak in late June to early July and are largely complete by late July.

Justification for Emergency Action

This petition seeks to amend 5 AAC 33.331 to include District 6 in the area gillnet mesh-size restrictions may be implemented for king salmon conservation. Current regulation allows a gillnet mesh-size restriction of no more than six inches to be implemented until the fourth Saturday in June in districts 8, 11, and 15. This petition also seeks to extend the current mesh-size restriction period from its current ending on the fourth Saturday in June to ending on the fourth Saturday in July. This extension will cover the full temporal range of major SEAK king salmon runs.

Despite existing management measures and conservation tools the department is concerned about meeting SEAK king salmon escapement goals in 2017 and believes projected poor SEAK king salmon run in 2017 constitutes an unforeseen and unexpected event that threatens the SEAK king salmon fishery resource and is petitioning for emergency regulatory action under 5 AAC 96.625(f).

Under the criteria listed in the Joint Board Petition Policy to be used by the board in determining whether or not an emergency exists, paragraph (f) of 5 AAC 96.625 reads in pertinent part:

... In this section, an emergency is an unforeseen, unexpected event that either threatens a fish or game resource, or an unforeseen, unexpected resource situation where a biologically allowable resource harvest would be precluded by delayed regulatory action and such delay would be significantly burdensome to the petitioners because the resource would be unavailable in the future.

Delayed regulatory action would not allow these mesh-size conservation measures to be in place for the 2017 fishing season and could result in a conservation concern for Taku, Stikine, and Chilkat river king salmon. If the department is forced to close fishing in lieu of implementing a mesh-size restriction in order to protect king salmon, a biologically allowable harvest of other salmon species would be precluded and may be significantly burdensome to users.

The department requests a delegation of authority from the board to make this regulation change permanent.